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JOURNAL of the PROCEEDINGS and DEBATES in the
POLITICAL CLUB, continued from the *Appendix*, 1745.

In the Debate begun in the Appendix to last Year, p. 643, upon the Address in relation to the famous Mediterranean Affair, L. Veturius Philo stood up again, and, in the same Character as before, viz. that of R-b-rt V-n-r, Esq; spoke to this Effect.

Mr. President,
S I R,



Do not stand up to answer what has been said by the Hon. Gentleman, either against the Admiral, or in Favour of the Vice-Admiral: That I shall leave to some other Gentleman who has not yet spoke upon the Subject. I stand up only to explain myself, and to inform that

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Gentleman, as well as the House, that what I took the Liberty to propose, with Regard to our leaving the Admiral's Name out of our Address, I did not propose as a Friend to the Admiral, or as an Enemy to the Vice-Admiral. I am no Enemy to either, and I am equally a Friend to both; but I am more a Friend to publick Justice than to either, and therefore I am against our doing an Act of Injustice to one, out of Friendship to the other, which, in my Opinion, will be the Case, if we mention the Admiral's Name in this Address.

Sir, the Admiral may petition the King for a Trial if he pleases; but, whatever Suspicion he may labour under, I cannot be for finding a Bill of Indictment against him, unless I thought I had at least some Ground for supposing him guilty, which, I think, I have not. I shall not enter into the Intricacies of the

Also see the 2d Argu-

Argument; but I may make this Observation, if I am rightly informed, from a very high Authority, that of the two Commanders one did fight, the other did not; and if the Admiral engaged where the Vice-Admiral should have been, it was because the Vice-Admiral was not at Hand to take his Place in the Engagement.

I have said a Bill of Indictment, Sir; because I look upon this Address as the *Billa Vera* of a Grand Jury, the Court Martial being in this Case the Petty Jury by which the Criminal is to be tried; and our Address must certainly have a greater Influence upon the Court Martial, than the *Billa Vera* or Verdict of any Grand Jury can have upon the Petty Jury, not only because of the Dignity and Authority of this Assembly, but because the Person accused had before us an Opportunity to bring Witnesses for proving his Innocence, whereas a Grand Jury never examine any Witnesses but those brought in Support of the Indictment.

The Hon. Gentleman may, if he pleases, Sir, call our addressing to have the Admiral tried as well as the rest, an Act of Friendship; but I can never look upon it as an Act of Friendship, to find a Bill of Indictment against a Man, and thereby expose him to the Danger of a Trial for his Life: I say, Sir, a Trial for his Life, because a Court Martial may order the Criminal to be shot, if they find him guilty, and are of Opinion that his Crime deserves Death by the Martial Law: So far from thinking it an Act of Friendship, I must think, that it is an Act of Injustice, to find a Bill of Indictment against any Man, unless the Bill be supported by such a Proof as furnisheth good Reason not only to suspect, but to believe him guilty of the Crime laid to his Charge. This, in my Opinion, is the Case with Regard to every other Gentle-

man whose Name is mentioned in this Address, otherwise I should not agree to it; but it is not the Case with Regard to the Admiral. The others did not fight: It is confessed they did not; and in my Opinion they have given no plausible Reason why they did not. The Admiral did fight, and bravely too; but it is said, he fought in the wrong Place. Sir, if this were true, it is an Error in Judgment only, which may be a Reason for his Majesty's never employing him hereafter; but it is no Crime for which he can be tried or punished by a Court Martial.

Therefore, we neither can, nor ought to desire him to be tried by a Court Martial on this Account; and if we do insert his Name in this Address, I shall think, perhaps the World will think, it is done only to keep the others in Countenance.

The next Speech I shall give you was that made by Cn. Norbanus, in the Character of N—rr—s B—rtie, Esq; which was in Substance thus:

Mr. President,

S I R,

AS I dissent from many Honourable Gentlemen of this Committee, in thinking our agreeing to this Question, can by no Means be thought a Condemnation of Mr. Matthews; a Gentleman whose Name ought to be mentioned with Respect, for his Bravery in making the Attack; so I do assure them, that if I were convinced, it would have that Appearance, no Member of this Committee can be more averse to it, than I should be: But as this Inquiry into the Conduct of our naval Officers, employed on board his Majesty's Fleet in the *Mediterranean*, in the late Action off *Toulon*, is made, in order to give some Satisfaction to a disappointed Nation; and, as it appears from the Evidence we have had before us, that the

the Admiral stands accused of at least as much Misconduct, both before and after the Action, as the Vice-Admiral; I think, it will be an Injustice to the latter, not to insert the other's Name in the List, as well as his; because it will make many without Doors, who have not an Opportunity of examining into our Proceedings, immediately conclude, that this House deems Mr. *Lestock* culpable, and has honourably acquitted Mr. *Matthews*. It may be said, We shall not aggravate the Misconduct the Vice-Admiral is accused of, by not inserting the Admiral's Name in the List; I think otherwise; but if it were so, why should we, when both seem equally guilty of Misconduct, shew a Partiality to Mr. *Matthews*? who during this whole Inquiry has had a great Advantage over Mr. *Lestock*, by being a Member of this House; when all we can be presumed to intend, by inserting his Name in the List with the other's, is, That upon Inquiry, we have found both of them guilty of Misconduct, but do not pretend to determine the Degrees of their Guilt, leaving them to the Judgment of a Court Martial, by which, I believe, every Member of this Committee, as well as myself, will be glad to hear, they are honourably acquitted; and then it will be Time enough to think of rewarding.

The next Speech I shall give you, was that made by Aulus Gabinus, in the Character of Ph—p G—bb—n, Esq; which was to this Effect.

Mr. President,
S I R,

THERE is a Distinction which is very necessary to be made in this Debate, and which, nevertheless, has not as yet been made, or taken proper Notice of, by any Gentleman who has hitherto given us his Sentiments upon this Occasion. The Distinction I mean, is that

which ought always, and particularly upon this Occasion, to be made between a Neglect or Breach of Duty, and an Error or Mistake of Judgment. For a Neglect or Breach of Duty, an Officer is to be try'd and punished by a Court Martial, which Punishment may reach even to Death itself; for an Error or Mistake of Judgment, he can be try'd only by his Majesty, or such as he shall appoint, and the highest Punishment he can be subjected to, is that of not being employ'd any more in his Majesty's Service. In the Land Service, such Errors or Mistakes are usually referred to a Board of General Officers; and in the Sea Service, they may, if his Majesty thinks fit, be inquired into by a proper Number of Admirals or old Commanders, or by the Lords Commissioners of the Admiralty, whose proper Province it is to inquire, and to determine, with his Majesty's Approbation, in all such Cases.

This Distinction being established, Sir, let us apply it to the Case now before us. What are we to address for? Consider the Words of the Motion. We are to address his Majesty, that he would be graciously pleased to give Directions, that Courts Martial may be held, to inquire into the Conduct of such Officers, as are or shall be, charged with any Misconduct in, and relating to the late Engagement off *Toulon*, and to try them for the same. Misconduct, Sir, is a general Word that comprehends Errors or Mistakes of Judgment, as well as Neglects or Breaches of Duty; but, surely, we must mean that Sort of Misconduct which alone can properly be inquired into or tried by a Court Martial, that is to say, we must mean that Sort of Misconduct only which proceeded from a Neglect or Breach of Duty. You cannot mean that Sort of Misconduct which proceeded from an Error or Mistake of Judgment, which never was, nor

can properly be inquired into or tried by a Court Martial. Surely, you would not desire, that a Man should be tried or punished as a Criminal, because he was not quite so wise as he should be. This may be a Reason, and a good Reason, for his Majesty's not employing him any more in the same Station; but it can never be a Reason for trying and punishing him as a Criminal. Therefore, when Gentlemen talk of the Misconduct of the two Admirals, they should take Care to distinguish properly; for both may have been guilty of Misconduct, and yet one may for his Misconduct be tried by a Court Martial, and the other cannot; or both may have been guilty of Misconduct, and yet neither can be tried by a Court Martial; or lastly, both may have been guilty of Misconduct, and both subject to be tried by a Court Martial for that Misconduct. In the first of these three Cases, we ought to mention the Name but of one of the Admirals in our Address; in the second we ought not to insert the Name of either; and in the third we ought to insert the Names of both.

Having thus, Sir, stated the Case now before us as distinctly as it ought to be stated, and, I am sure, as fairly as it can be stated, I shall next proceed to examine the Objections made to the Conduct of both our Admirals, in order to see whether the Misconduct they are respectively accused of, be of that Sort which may be tried by a Court Martial, or of that Sort which can properly come only under the Cognizance of the Board of Admiralty, and consequently in order to see whether the Names of both, or the Name of neither, or if but one, which of their two Names ought to be inserted in our Address. In this Inquiry I shall begin with the Admiral; and the first Objection made to his Conduct, I think, as, that he never consulted with,

or asked the Advice of his Vice-Admiral, upon any Emergency. Sir, was the Admiral bound by his Instructions to ask or follow the Advice of a Council of War? If he was not, which, I believe, was the Case, this was not a Misconduct of any Kind: On the contrary, when the Services are such as require the utmost Secrecy, it is right in a chief Commander to depend upon his own Judgment, rather than expose his Schemes to the Danger of being divulged, by communicating them to his inferior Officers in a Council of War. But it is farther urged, that he did not treat his Vice-Admiral with that Decency as was due to his Character. As this Treatment was attended with no Duel or Challenge on either Side, I do not see how it can come before a Court Martial; for in the Land Service such Complaints are usually determined by a Board of General Officers, and consequently are in the Sea Service to be determined and redressed by the Board of Admiralty; so that this can of itself be no Reason for our inserting the Admiral's Name in our Address.

The next Piece of Misconduct, our Admiral is charged with, Sir, is his Neglect of his Instructions and the usual military Discipline, in never having ordered his Squadron to be drawn up in a Line of Battle, till the Enemy appeared in View, notwithstanding his being sensible, that he had several Captains under him, who had never seen a numerous Squadron draw up in Line of Battle, and consequently could not be well acquainted either with sailing in Line of Battle, or with the Manner how to take up their Place in the Line, when they came to draw up against an Enemy. Sir, the Admiral has made a Variety of Answers to this Objection, every one of which is, in my Opinion, sufficient for his Excuse. In the first Place, he denies his being sensible of his having any such Cap-

tains

tains in his Squadron; and how could he, considering the great Expence we have been at for so many Years past, in sending out numerous Squadrons, which seemed to have nothing else to do but to instruct the Officers in the several Parts of their Duty? A Even that very Squadron, or the greatest Part of it, had been three Years in the *Mediterranean* under the Command of Admiral *Haddock*, and one Year and a half, absolutely or in Effect under the Command of Admiral *Lefcock*, before Admiral *Matthews* B took the Command upon him; during all which Time the Admirals had little else to do but to instruct the Officers under their Command, and for that Purpose to make the Squadron often form the Line of Battle, in all the several Ways in which it can C be formed, or in which Ships can sail in Line of Battle. Therefore Admiral *Matthews* could not suppose that any of the Captains were ignorant of their Business, and if any of them were, it was not his Fault, but the Fault of those who commanded D the Squadron before he took the Command upon him; because from that Time till he had an Account of the Enemy's sailing out of Port, he had no Opportunity to make his Fleet draw into a Line of Battle; for tho' he arrived in the *Mediterranean*, and in Name took the Command upon him the Summer preceding, yet in Effect he did not take the Command upon him, till the latter End of *December*, being most of the Time a-shoar in Execution of what was intrusted to him, as his Majesty's Plenipotentiary to the several Courts of *Italy*, and did not repair to his Duty on board, till he found it was necessary for him to do so; upon Information, that the combined Squadrons were preparing, and almost ready to put to Sea; after which he G was obliged to keep the main Body of the Fleet in its Station, and in a continual Readiness to unmoor, in order to attack the Enemy upon their first Appearance out of Port; consequently he could not put to Sea to exercise the Squadron, lest the Enemy should in the mean Time make their Escape, which by his Instructions he was obliged by all Means to prevent. From all which it is evident, that this Charge can be no Foundation for our addressing his Majesty to have Admiral *Matthews* tried by a Court Martial.

Now, Sir, with Respect to the third Charge against him, which is the Hurry and Impatience he was in to come up with and attack the Enemy: Sir, I cannot think it an incommendable Quality in a Man to be impatient and in a Hurry to attack and destroy the Enemies of his Country, provided his Impatience and Hurry does not lead him into any unnecessary Danger, or to commit a rash Action. But this Hurry and Impatience our Admiral was in, is said to have produced several bad Effects; as first, it is assigned as the Cause of the Danger our Ships were in, of running foul of one another, as they turned out of *Hieres Bay*: This is said by one Side, but by the other the Cause of this Danger is ascribed entirely to the little Wind and great Swell our Squadron met with in the Mouth of that Bay, which could neither be foreseen, nor provided against, by the Admiral; and when an Enemy is in View, and probably designing to escape, shall an Admiral wait for a smooth Sea and a fair Wind, if it be possible for him to get at the Enemy with the Wind and Sea he then happens to meet with? Therefore, supposing the Ships to have been in some Danger, which has not been proved to have been very great, the Admiral, I think, is rather to be applauded for the ardent Desire he shewed to serve his Country, at the Peril of his own Life, than to be tried by a Court Martial for any criminal Misconduct upon

upon this Account; for suppose it had been proved, that the Admiral by a little Patience might have avoided this Danger, without giving the Enemy Time to escape, it could only be called an Error or Mistake of Judgment, for which he can neither be tried nor punished by a Court Martial.

Another bad Effect, Sir, which, it is said, was produced by the Admiral's Impatience to engage, was his not waiting for the Vice-Admiral's sailing up to close the Line. Now the Question, whether this was a good or a bad Effect, depends entirely upon the Designs of the Enemy. Whether they sailed out of Port with a Design to come to a fair Engagement, signifies nothing: They might have sailed out with such a Design, and might have altered it when they observed the Strength of our Squadron. The Question is, whether they had such a Design on the 11th of February, when our Squadron was, as I may say, in Chace of them? And, I think, it is plain, they had then no Design to come to a fair set Engagement with us, otherwise they would have lain by in Line of Battle, instead of making all the Sail they could to the Southward; and that they made all the Sail they could to the Southward is evident from the Vice-Admiral's own Plans; for according to them, the whole combined Squadron was in perfect Order, and the Line closed in every Part, at half an Hour past Ten o' Clock, when our Admiral made the Signal to engage; whereas at half an Hour past One, the whole *French* Squadron, with the three headmost Ships of the *Spanish*, had got a great Way ahead, and had left such an Opening between them and the *Spanish* Admiral with his two next Ships ahead, and all his sternmost Ships, as gave our Admiral a fair Opportunity of cutting the latter off, before the former could tack to their Assistance;

and this he would probably have executed, if all the Ships even of his Division had done their Duty.

From this Confusion which the combined Squadron fell into, after our Admiral made the Signal to engage, it appears, that all the *French* Ships and three of the *Spanish* made so much Sail, that the *Spanish* Admiral and the other *Spanish* Ships could not keep Pace with them; and this, I say, Sir, is a Proof, that the combined Squadron made all the Sail they could to the Southward, and indeed more than some of them ought to have done, because they thereby left their worst sailing Ships so far behind, as to cause an Interruption or Opening in their Line of Battle; therefore, I think, it is plain, that the combined Squadron had, at that Time, one of these three Designs: Either to escape without coming to an Engagement; or to get the Weather-Gage of us; or to draw our Squadron so far away to the Southward, as to give the Embarkation of Troops at *Toulon* an Opportunity to sail to *Italy*; the Execution of every one of which Designs our Admiral was in Duty bound to prevent: But he could have prevented neither of the three, had he lain by for the Vice-Admiral, as he intended, between Seven and Eight o'Clock in the Morning; and his sudden Alteration of that Intention, it is natural to suppose, proceeded from his observing, that the Enemy began to crowd Sail, in order to execute one of these three Designs: So that his not lying by to wait for the Vice-Admiral was an Effect of Necessity, and not of an excessive Impatience to engage; but whether it was the Effect of one or the other, is not a Question proper for the Cognizance of a Court Martial; because it is a Question that relates to Prudence or Judgment only, and not to any Neglect or Breach of Duty.

The third bad Effect, Sir, imputed

to the Admiral's Impatience to engage, is his giving the Signal to engage too early. Whether this was a bad Effect or no, I cannot take upon me absolutely to determine; for when an Admiral is resolved to engage, I cannot comprehend what Harm it can do, suppose he should give that Signal as soon as he comes in Sight of the Enemy. If it made the *French*, with three of the *Spanish* Ships, crowd Sail and run away from the rest of the combined Squadron, it produced, in my Opinion, a very good Effect, and such a one as would probably have been attended with the Destruction of the *Spanish* Admiral, the two Ships next to him ahead, and all his sternmost Ships, if all the Captains in our Admiral's Division had done their Duty, or if our Rear-Admiral had detached his best sailing Ships to supply the Defect of those that did not. But whether it was right or wrong in our Admiral to give the Signal to engage so early, it seems to me to have been entirely owing to the Vice-Admiral's being so far behind; because it is to be supposed, our Admiral gave that Signal so early, in order to prevail with our Vice-Admiral to make all possible Haste to close the Line; and as there is no Rule, Order, or Instruction in our Navy, for directing at what Time an Admiral is to give the Signal to engage; as this is left entirely to the Admiral's own Judgment and Discretion, it is a Matter that is to be decided only by his Majesty or his Board of Admiralty; because, let the Signal be given too early, or let it be given too late, it can be nothing else but an Error or Mistake of Judgment, and not being in itself any Way criminal, cannot therefore come under the Cognizance of a Court Martial.

The fourth bad Effect, Sir, which is said to have flowed from our Admiral's Impatience to engage the Enemy, is his attacking the *Spanish* Ad-

miral in the Rear Division of the combined Squadron, instead of sailing up and attacking the *French* Admiral in the Center, which, according to his own Disposition, should have been his Post in the Engagement.

A This is said to be a Piece of very great Misconduct, because he thereby exposed his Van to be attacked and overpower'd by the Van and Center Divisions of the combined Squadron; but when we consider all Circumstances, it will, I believe, appear to be the most prudent Course our Admiral could take. I have already shewed, that from the Time our Admiral sent to his Vice-Admiral to make more Sail, or at least from the Time our Admiral made the Signal to engage, it appeared evidently, that the Enemy designed either to escape without engaging; or to gain the Wind of us, so as to engage with a great Advantage, considering their Numbers of Men, and the Number of their Fireships; or to draw our Squadron too far away to the Southward. If our Admiral had lain by to wait for his Vice-Admiral's closing the Line, he saw, that the Enemy must have had it in their Power to have executed any one of these three Designs they thought most proper; and he judged, I think, rightly and wisely, I am sure, bravely, that it was better to engage them without the Assistance of his Rear Division, than to leave it in their Power to execute any one of these three Designs. In this Situation, he saw, that he must either expose his Van to be attacked by the Van and Center of the Enemy's Squadron, or his Center to be attacked by the Center and Rear of the Enemy's Squadron; for if he had failed up to attack the *French* Admiral in the Center of the combined Squadron, he must have passed by the Rear, and would thereby have exposed his own Center both to the Center and Rear of the Enemy; and if he engaged the Enemy's Rear

Divi-

Division, which was the first he could come up with, he thereby exposed his Van to both the Center and Van of the Enemy. Now, Sir, of these two Dangers, the Situation of the two Squadrons at that Time must convince us, that the last was by far the least. We had the Wind of the Enemy, that is to say, we were to the Eastward of them, and both Squadrons were directing their Course, in Line of Battle, to the Southward: They could not therefore bear directly down upon us, whereas we had it in our Power to stand aloof, or bear directly down upon them as we pleased, and consequently to begin the Engagement when and where we pleased: When our Admiral engaged the *Spanish* Admiral, the Van of the combin'd Squadron was at least as far a-head as the Van of our Squadron, and consequently neither their Van nor Center could attack our Van, without tacking, and passing by our Van within Gun-shot; for their headmost Ships must, after tacking, have returned Northward, in order to attack the sternmost Ships of our Van, which was both dangerous and tedious; whereas, if our Admiral had sailed up to attack the Enemy's Center Division, their Rear Division would then have been all a-stern of our Center Division, and consequently might have edged down, as they call it, upon our Center, which would neither have been dangerous nor tedious in the Execution. Therefore it is evident, that it was less dangerous to expose our Van to be attacked by the Van and Center of the Enemy, than to expose our Center to be attacked by the Enemy's Center and Rear Divisions; because, in the former Case, our Rear Division might have come up, but in the latter it could not come up, Time enough, to our Relief; and consequently our Admiral's attacking the Rear instead of the Center Division of the Enemy,

was an Effect of the utmost Prudence and Foresight, instead of being the Effect of too great Impatience to engage the Enemy.

But suppose, Sir, that it would have been more prudent in our Admiral to suffer the Enemy to execute any Design they had formed, rather than risk engaging them before his Vice-Admiral had joined him; or suppose it would have been more prudent in him to have sailed up and engaged the Enemy's Center, rather than their Rear Division, can his engaging as he did be called any Thing more than an Error or Mistake of Judgment? It cannot, therefore, come properly before a Court Martial, and, consequently, can be no Foundation for our inserting his Name in our Address. You may impute his engaging in the Manner he did to Hurry, Impatience, or what you will; I am sure, you cannot impute it to Cowardice, Treachery, or any Thing that was criminal; and let it be called prudent or imprudent, I must wish, that his Vice-Admiral, and all the Captains of that Squadron, had been pushed on by the same Hurry or Impatience: If they had, I believe, we should not have been troubled with any Inquiry into their Conduct: The Nation would, probably, have had the Pleasure of one Thanksgiving-Day, which would have been the first during this War, tho' it is now of near six Years Continuance; and we should have had the Pleasure of desiring our Speaker to return Thanks to our Admiral, for having put an End to the naval Power of our Enemies.

I now come, Sir, to the fifth and last bad Effect said to have been produced by our Admiral's Hurry and Impatience, which is, his not giving the Fireship timely Notice to prime, nor sending her proper Assistance, when she was ordered against the Enemy. To this the Admiral has answered, and proved, that the Mo-

ment

ment he was forced away, by the *Marlborough's* getting between him and the Enemy, he made the Signal for the Captain of the Fireship to prime, which he misapprehended or neglected; and that soon after, positive Orders were sent him by an A Officer to prime, and make ready with all Expedition, for going down upon the *Spanish* Admiral, which was near two Hours before his going upon that Service; consequently he had sufficient Notice, and might have primed and prepared every B Thing, without the least Hurry or Confusion. Then as to the Assistance, the Admiral has proved, that he himself went down with the Fireship, and was within Pistol-shot of her when she blew up; so that if there was any Neglect in this Respect, it C was owing to the Ships of his own Division a-stern, and to the Vice-Admiral, who allowed the four sternmost Ships of the Enemy to pass by them unmolested, and by these four Ships the Fireship would have been in great Danger of being sunk, D if she had not been blown up before she could have reached the *Spanish* Admiral.

I hope I have now shewn, that the Admiral's Hurry or Impatience, as it is called, can, upon no Account, furnish us with a sufficient Reason E for inserting his Name in this Address; and therefore I shall proceed to consider the fourth Objection to his Conduct, which is that of his hauling down the Signal to engage, and retiring with such Precipitation as to leave the *Poder*, a *Spanish* Ship, F to be retaken by the *French*, with one of our Lieutenants and 23 of our Men on board, who were of course carried in Triumph to *Spain*. Sir, when I consider who they are that make this Objection, I cannot help being amazed at their Assu- G rance. They are the very Men whose Treachery or Cowardice had brought our Squadron into this Distress and

Confusion. After our Admiral, with the few fighting Ships in his Squadron, had been left engaged with an Enemy, every Way superior to them, for near five Hours, for so long had the Engagement lasted before the *French* tacked and bore down to the Relief of the *Spaniards*, can we wonder at the Admiral's resolving to prevent, if possible, the few brave Men in his Squadron from being obliged to enter into a fresh Engagement, with a B Force which it was impossible for them to cope with? Can we think, that the Admiral could, in a fresh Engagement, and in the Dark, expect any Assistance from those who, in broad Day-Light, had for five Hours looked tamely on, and seen C him engaged with a superior Force? Can we impute as a Crime to the Admiral, that Distress which he was brought into by the Crimes of those who, to justify themselves, are now become his Accusers? I hope, this House will never be capable of so much Injustice; and, therefore, I hope this Objection will have no Weight in the present Debate.

The fifth and the last Charge against our Admiral is, his having called the Vice-Admiral, with his Division, off Chace, in the Morning of the 2d Day after the Engagement, when they were in Sight of the Enemy, and gaining upon them every Moment. If this Fact had been fully proved, which it has not, the Admiral has three Excuses for his Conduct, each of which is by itself F sufficient for convincing us, that his Conduct was not criminal; and whether it was prudent or not, is a Question that cannot come properly before a Court Martial. The first of these two Excuses is founded upon the Behaviour of the Vice-Admiral and some of the Captains during the Engagement, which was such that the Admiral did not think it prudent to come to a second Engagement, B when

when he found he could so very little depend upon the Courage or Fidelity of some of his inferior Officers. For the Honour of his Country, and to secure to himself all possible Appearances of a Victory, he pursued the Enemy so far as to put it out of their Power to return to the Coast of *France*; but after the Experience he had but two Days before had of the Tameness and Irresolution of many of his inferior Officers, he thought it more prudent to retire with the Advantage he had gained, than to risk having his own Ship, and all the fighting Ships in his Squadron, destroyed, by entering into a new Engagement, which would have been the certain Consequence, had the rest of his Squadron behaved in the 2d Engagement as tamely as they had behaved in the first.

The second Excuse, Sir, is founded upon the Intelligence he had, that a fresh Squadron had actually sailed from *Brest*, and had probably by that Time entered the *Straits*. This made him cautious of approaching too near to the Coast of *Spain*, lest he should there find the combined Squadron reinforced by the fresh Squadron from *Brest*, which would have made it much stronger than it was at first, and by much too strong for him to encounter, especially considering how much some of his Ships had suffered in the late Engagement. And the 3d Excuse is the positive Instruction he had, to prevent, by all Means, the *French* from sending any great Reinforcement of Troops to *Italy*. This was by his Instructions to be his chief Care, and therefore he was to regard it more than even the utter Destruction of the combined Squadron. He therefore thought it imprudent to pursue that Squadron too far towards the Coasts of *Spain*, lest the *French* Embarkation at *Toulon* should take the Opportunity and sail away to *Italy*, before he could get back to his Station in *Hieret Bay*;

and he had the more Reason to be afraid of this, because four *Spanish* Men of War had been left at *Toulon*, where most of the Transports were already prepared, and the Troops all ready to embark.

A These, Sir, are the Excuses which have been urged in Behalf of this Part of our Admiral's Conduct: Whether they are sufficient for vindicating his Prudence I shall not determine; but I am sure, they are sufficient for vindicating his Intention.

B Nothing that looks like Treachery, nothing that looks like Cowardice, nothing that looks like a Breach or Neglect of his Instructions, appears in this, no more than in any other Part of his Conduct. How then can

C you address for his being tried by a Court Martial? No Man, Sir, was ever brought before a Court Martial, unless he was accused or suspected of some Thing that was criminal. Imprudence may be a Reason for his Majesty's examining into a Commander's Conduct, or for his

D giving Orders to the Board of Admiralty to examine into an Admiral's Conduct; in order to see how far it may be fit to trust him in the same Station for the future; but it can never be a Reason for our addressing to have an Admiral tried by a Court

E Martial; and therefore, I hope, Gentlemen will excuse me when I say, that however much some may be imposed on, I must be of Opinion, that with others the chief Intention is to screen the guilty from Punishment as well as the publick Resentment, by inserting the Name of him who appears to be innocent, in the same Address with those whose Conduct there is great Reason to condemn.

After having said this, Sir, I think myself obliged to examine into the Excuses that have been made for our Vice-Admiral's Conduct; and here there is something appears at first View very different from what is objected against the Admiral's Conduct.

If the Admiral was impatient, and in too great a Hurry to engage the Enemy, the Vice-Admiral seems to have been as backward as the other was forward; so backward, that he never engaged at all. As both the other Divisions were engaged, and engaged for near five Hours, his not coming up to take a Share of the Engagement was certainly in the highest Degree criminal, if he cannot make it evidently appear, that he did all that was possible for him to do, and that he had done nothing which made it impossible for him to get up Time enough to take some Share in the Engagement; therefore we must examine his Conduct from the Time of the Fleet's sailing out of Hieres Bay, and the first Objection made to it is, his bringing to, the Evening preceding the Engagement, before he had closed the Line according to the Signal then abroad. Here the two Admirals differ in a Point of Discipline, which I shall state as distinctly as I can. From three o'Clock in the Afternoon of that Day, the Admiral had the Signal out for the Fleet to draw into a Line of Battle, one Ship a-breast of another, which Signal continued out when it began to grow dark: Half an Hour after it was dark, the Admiral made the Night Signal to bring to, at which Time the Vice-Admiral, with his Division, was in a Line a-breast with the Admiral's Division, but a great Way separated from it. The Question then is, whether the Vice-Admiral should immediately have brought to, in Pursuance of this last Signal, or whether he should not have first closed the Line, in Pursuance of the Signal for the Line of Battle, which he had seen out as long as he could see, and which he had no Reason to suppose taken in. The Admiral says, he ought to have closed the Line, before bringing to, because, while the Line of Battle Signal is out, all other Signals are to be construed

as co-operating with that Signal, and therefore he was to bring to, according to the last Signal, but he was to bring to in the Line, according to the Line of Battle Signal, and that he could not do till he had closed the Line. On the other Hand, the Vice-Admiral says, that he was obliged to give immediate Obedience to the Night Signal for bringing to, because by that Signal the Line of Battle a-breast Signal was destroyed, the one being absolutely inconsistent with the other, and of two inconsistent Signals the last ought certainly to be obeyed, therefore when he heard the Night Signal for bringing to, as he could not see whether the Line of Battle Signal was out or no, he was to suppose it taken down, because it was inconsistent with the last Signal.

This, Sir, is the Point in Dispute, and upon this Point the Vindication or Condemnation of the Vice-Admiral's Conduct chiefly depends; for as he brought to before closing the Line that Evening, according as he says he thought himself obliged to do, it threw him at such a Distance from the Center Division next Morning, that he was not able to close the Line till the Engagement was quite over. I cannot pretend to be a Judge of Discipline, but I may pretend to know something of common Sense, and from that I can find no Inconsistency between the Signal for bringing to and the Signal for the Line. Suppose it to be Day-Light, and the Admiral to make the Day Signal for bringing to, pending the Line of Battle Signal: When the Line is perfectly formed, no Doubt every Ship as well as every Division of the Squadron is in this Case to give immediate Obedience to the Signal for bringing to; but when the Line is not perfectly formed, and the Signal is made for bringing to, pending the Line of Battle Signal, common Sense would direct me to suppose the Meaning of this to be, that those Ships that

are in the Line should give immediate Obedience to the Signal for bringing to, but that those Ships that had not got into the Line, or had not closed it, should come into or close the Line before giving Obedience to the Signal for bringing to; and if a common Sense directs this when an Enemy is not in View, surely it must direct this much more strongly when the Enemy is not only in View but almost within Gun-Shot of you. Now, if this would be the Case in Day-Light, and when both Signals may be plainly perceived, I think, the Vice-Admiral was to suppose, when he heard the Night Signal for bringing to, that the Signal for the Line was still out: This, I say, he was to suppose, because he had not seen it taken in, and because they were so near the Enemy. that an Engagement might probably begin next Morning as soon as it was Day-Light: If this then was what he ought to have supposed, surely he ought to have closed with the Center before bringing to; and consequently, according to common Sense, whatever it may be according to Discipline, he was guilty of a Breach, or at least a Mistake of his Duty.

What this House may think, or what a Court Martial may think of this Breach or Mistake of Duty, I do not know; but I know, Sir, what the World will think of it. The World knows what Terms he and the Admiral wete upon: It is publickly known, that they were far from being Friends: From thence it will be supposed, that the Vice-Admiral was resolved, as far as was consistent with his own Safety, to prevent the Admiral's engaging the combined Squadron, or to force him to engage without the Assistance of his Division. In the first Case, he knew, it would expose the Admiral to the Resentment and Contempt of his Country, and perhaps to be broke with Infamy, for having let the com-

bined Squadron escape; and in the other Case, he thought, the Admiral, by engaging with a superior Force, might probably be cut off. Therefore, whatever the Vice-Admiral may say about his bringing to the Evening before the Engagement, at such a Distance from the Center Division of the Squadron, and consequently not properly in the Line, the World will suppose, that it was a wilful Mistake, made on Purpose to prevent his having any Share in the Engagement that was probably next Day to ensue. This, I say, the World will suppose, and if it was wilful, the Vice-Admiral was certainly criminal to the highest Degree; therefore this is a Case that comes properly before a Court Martial; and indeed, it is a Case that cannot well be understood or determined by any but those who are perfectly acquainted with the Discipline and Practice of our Navy.

But this is not the only Mistake or Breach of Duty the Vice-Admiral is charged with: He is likewise charged, Sir, with not making all the Haste he might have made next Morning, to get up and close the Line with the Admiral. Upon this Head, indeed, we have had a Variety of Evidence, and some Part of it in express Contradiction to the other. Some have affirmed, that he might have made more Sail, others have denied it: Some have made Objections to his Steerage, and alledged, that had he steered more to Leeward he might have got up Time enough to engage some of the Enemy's Ships; whilst others have justified his Steerage, and insisted upon its being right. In this Contradiction of Evidence, it is impossible, Sir, for us to determine, because we neither know the Character of the Witnesses, nor do we understand Sailing, but a Court Martial easily may; and it is a Point that can come properly under the Cognizance of a Court Martial only; for upon this Point depends the Question, whether

ther the Vice-Admiral was criminal or no. If he made all the Haste he possibly could to close the Line, he cannot in this Respect be said to be criminal: If he did not, it was a Breach of Orders, because the Signal for the Line was out all the Time, consequently his Conduct was criminal, and deserves, in my Opinion, as high a Punishment as a Court Martial can inflict.

A third Objection to the Vice-Admiral's Conduct is, his not repeating the Signal to engage; in Excuse for which he says, that it is not required by the fighting Instructions, nor was practised in the two general Battles he had been in, particularly that off *Malaga* in the Year 1704, where he was Lieutenant to the Admiral of the White, who did not repeat the Signal to engage, nor was it repeated by any other Admiral in that Fleet. To this it is replied, that of late Years it has been thought necessary for the inferior Admirals to repeat the Signal to engage, which was the Reason for its being repeated by the Rear Admiral; and its not being repeated by the Vice-Admiral, was probably what prevented the headmost Ships of his Division from sailing up and attacking the sternmost Ships of the Enemy's Rear Division, which they might have done, had they not waited for their Admiral's repeating the Signal to engage. Now, Sir, to determine whether this of repeating the Signal to engage, was a criminal Neglect in the Vice-Admiral or no, requires more Knowledge in the Practice of our Navy than I am Master of; but I cannot suppose, that the repeating of this Signal by the Vice-Admiral could have done any Harm, and tho' it is not expressly enjoined by the fighting Instructions, yet if he had the least Reason to think, that any of his Captains might expect it, he ought to have repeated it, lest by his not doing so he should prevent their engaging when it was in their Power to

attack and destroy the Enemy. This is therefore a Question very proper for a Court Martial to inquire into; and whatever Way they may determine it, I am afraid, the World will be ill-natured enough to say, that all the Use the Vice-Admiral made of his great Knowledge in the Discipline of the Navy, was to observe every Punctilio of it, that served to prevent his assisting his Admiral in attacking and destroying the Enemies of his Country.

B The fourth Objection to the Vice-Admiral's Conduct, is his not detaching some of the best sailing Ships of his Division to the Assistance of the Admiral and the *Marlborough*, when he saw, that the Ships a-stern of them did not do their Duty. His Excuse for this is, that he could not alter the Disposition which the Admiral had appointed; and that if those Ships did not do their Duty, the Admiral had an immediate Remedy in his Power, because he might have sent his Lieutenants to command them. Sir, if I am not mistaken, it is a Rule in the Navy, that any Ship may leave her Station in an Engagement, and go to the Assistance of the Admiral, when he seems to be in Distress, if those Ships next to him cannot or do not give him the necessary Assistance. And as many unforeseen Accidents may, and generally do happen in an Engagement, common Reason tells us, that every inferior Commander may alter the Disposition of that Part of an Army or Squadron under his Command, when absolute Necessity requires it: Nay, the Vice-Admiral himself has told us, that he did alter the Disposition of his Division, by ordering three of his Ships a-head to fall a-stern, as soon as he observed, that the *Spanish* Admiral had six Ships a-stern, whereas he had by his Admiral's Order of Battle but four Ships a-stern of him; and it does not appear, that he ever ordered these three Ships

Ships to come again a-head of him, even when he saw his Admiral engaged with the *Spanish* Admiral, after which, he could not but see, that he had then no Occasion for having so many Ships a-stern. Surely, his Reason for this could not be, because when they were a-stern, they were more out of the Way of the Enemy than they would have been, had they been ordered to return again to their Station a-head.

I must therefore think, Sir, that the Answer which the Vice-Admiral has made to this Charge is far from being satisfactory, consequently I must be of Opinion, that it was his Duty to have sent some of his best sailing Ships to the Assistance of his Admiral, when he saw him in a Manner deserted by all the Ships of his Division a-stern, except the *Marlborough*; for from the long Continuance of their ill Behaviour, he could not but suppose, either that the Admiral did not see how they behaved, or that some insurmountable Obstruction prevented his using the proper Remedy. If then it was his Duty to have sent some of the Ships of his Division to the Assistance of his Admiral, it was in him a Neglect of Duty not to do it, and for every Thing that looks like a Neglect of Duty, an Officer ought to be try'd by a Court Martial.

I hope, I have now shewn, Sir, that every Charge brought against the Vice-Admiral's Conduct, appears to be either a Breach or Neglect of Duty, and that he has not made a sufficient Answer to any one of them; consequently for every one of them he ought to be tried by a Court Martial. His Name therefore we not only may, but ought to insert in this Address. On the other Hand, I have shewn, I hope, to your Satisfaction, that no one Charge has been brought against the Admiral's Conduct, but what he has sufficiently answer'd, and that if his Answers to

some of them were not sufficient, they are such as appear to be Errors or Mistakes of Judgment only, for which he cannot properly be tried by a Court Martial. His Name therefore we cannot, with any Sort of Propriety, insert in our Address; for if we do, it will shew, that after so much Time spent, and so much Pains taken, we cannot properly distinguish between what is criminal and what is imprudent.

Whether the Mistakes or Neglects of the Vice-Admiral were wilful or not, I shall not pretend to determine; but they are so suspicious, and have been of such infinite Prejudice to the Common Cause, as well as to this Nation in particular, that I was surprized to hear any Insinuations thrown out against the Admiral for suspending him. I am surprized he did not suspend him much sooner: If he had suspended him the Morning of the Engagement, when he first observed him at such a Distance from the rest of the Squadron, it might, perhaps, have been happy for this Kingdom, and particularly for the Hon. Gentleman now in our Chair, whose Loss is great indeed, but it is attended with this Comfort, that he hears it bemoaned by the whole Nation, almost as much as it can be by himself. But, Sir, the Admiral was willing to give his Vice-Admiral an Opportunity to atone for the Mistake he had committed the Night before, and even after he had made bad worse, so cautious was the Admiral of doing any Thing that might seem rash or severe, that he delay'd suspending him, till he should see whether he could make any tolerable Excuse for his Conduct. The Excuses he made we have all seen, and, I believe, most that have seen them are of Opinion, that they are far from being satisfactory. Then, indeed, the Admiral proceeded to make use of the Power he had, by suspending him, and sending him home,

home; which he was in some Measure necessarily obliged to do, not only for preserving his Authority in the Fleet, but to prevent the bad Consequences of coming to a new Engagement with such a Vice-Admiral next under him in Command; for he could not be secure against being obliged to come very soon to a new Engagement with the Enemy. He had Reason to expect every Moment the Arrival of a new French Squadron in the Mediterranean; and if that Squadron had arrived, the Enemy would certainly have put to Sea again, and might have put to Sea with a greater Force than they had in the former Engagement.

In this Respect therefore, Sir, the Admiral's Conduct is not at all to be blamed; at least, I am sure, he did nothing in this, that can subject him to be tried by a Court Martial. He may desire, he may petition, if he will, to be tried by a Court Martial: We are not to answer for what he does; but we must answer for what we do ourselves, and therefore we ought to do nothing without a sufficient Cause. If he petitions for being tried by a Court Martial, it can throw no Suspicion upon his Conduct: On the contrary, it will, with the Publick, be a Proof of his Innocence; but if we address for having him tried by a Court Martial, it will bring his Conduct under Suspicion; because the World will from thence conclude, that we thought him guilty of something that seemed to be criminal; for no Man that knows any Thing of a Trial by a Court Martial will suppose, that we subjected him to such a Trial, for no other Reason, but because we thought he had been a little imprudent in some Parts of his Conduct. Therefore, Sir, in Justice to him, and in Duty to ourselves, we ought to leave his Name out of the Address now proposed.

L. Valerius Flaccus stood up next, and in the Character of Sir W——m Ynge, spoke in Substance as follows.

A Mr. President,
S I R,

WHETHER I may be accused of intending to screen the Guilty, by putting the Innocent upon the same Footing with them, I do not know, nor do I care; for I shall always speak my Sentiments freely in this House, without Regard to any false Construction that may be put by others upon what I say. I cannot, however, help expressing a little Surprise at its being supposed or insinuated, that there should be any screening Work intended in what we are now about. Are we by this Address, Sir, to declare any one guilty or innocent? Does any Gentleman suppose, that by this Address we are to direct the Court Martial, who they shall find guilty, or who they shall declare to be innocent? No, Sir: We mention, indeed, those Gentlemen whose Conduct has appeared to us to be most suspicious; but we do not therefore condemn them, nor do we direct the Court Martial to condemn them. And as we do not condemn those we expressly mention, so, neither do we acquit those we do not mention, nor do we give any Ground to suppose, that all the rest of the Officers in that Squadron were entirely innocent: On the contrary, we expressly desire, that a Court Martial may be appointed to inquire into the Conduct of all other Officers, who are, or shall be, charged with any Misconduct in the late Engagement off Toulon.

By this Address therefore, Sir, it cannot be supposed, that any one intends either to screen the Guilty, or to punish the Innocent; and tho' I am far from thinking the Admiral guilty

Ships to come again a-head of him, even when he saw his Admiral engaged with the *Spanish* Admiral, after which, he could not but see, that he had then no Occasion for having so many Ships a-stern. Surely, his Reason for this could not be, because when they were a-stern, they were more out of the Way of the Enemy than they would have been, had they been ordered to return again to their Station a-head.

I must therefore think, Sir, that the Answer which the Vice-Admiral has made to this Charge is far from being satisfactory, consequently I must be of Opinion, that it was his Duty to have sent some of his best sailing Ships to the Assistance of his Admiral, when he saw him in a Manner deserted by all the Ships of his Division a-stern, except the *Marlborough*; for from the long Continuance of their ill Behaviour, he could not but suppose, either that the Admiral did not see how they behaved, or that some insurmountable Obstruction prevented his using the proper Remedy. If then it was his Duty to have sent some of the Ships of his Division to the Assistance of his Admiral, it was in him a Neglect of Duty not to do it, and for every Thing that looks like a Neglect of Duty, an Officer ought to be try'd by a Court Martial.

I hope, I have now shewn, Sir, that every Charge brought against the Vice-Admiral's Conduct, appears to be either a Breach or Neglect of Duty, and that he has not made a sufficient Answer to any one of them; consequently for every one of them he ought to be tried by a Court Martial. His Name therefore we not only may, but ought to insert in this Address. On the other Hand, I have shewn, I hope, to your Satisfaction, that no one Charge has been brought against the Admiral's Conduct, but what he has sufficiently answer'd, and that if his Answers to

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In this Respect therefore, Sir, the Admiral's Conduct is not at all to be blamed; at least, I am sure, he did nothing in this, that can subject him to be tried by a Court Martial. He may desire, he may petition, if he will, to be tried by a Court Martial: We are not to answer for what he does; but we must answer for what we do ourselves, and therefore we ought to do nothing without a sufficient Cause. If he petitions for being tried by a Court Martial, it can throw no Suspicion upon his Conduct: On the contrary, it will, with the Publick, be a Proof of his Innocence; but if we address for having him tried by a Court Martial, it will bring his Conduct under Suspicion; because the World will from thence conclude, that we thought him guilty of something that seemed to be criminal; for no Man that knows any Thing of a Trial by a Court Martial will suppose, that we subjected him to such a Trial, for no other Reason, but because we thought he had been a little imprudent in some Parts of his Conduct. Therefore, Sir, in Justice to him, and in Duty to ourselves, we ought to leave his Name out of the Address now proposed.

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Mr. President,
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WHETHER I may be accused of intending to screen the Guilty, by putting the Innocent upon the same Footing with them, I do not know, nor do I care; for I shall always speak my Sentiments freely in this House, without Regard to any false Construction that may be put by others upon what I say. I cannot, however, help expressing a little Surprise at its being supposed or insinuated, that there should be any screening Work intended in what we are now about. Are we by this Address, Sir, to declare any one guilty or innocent? Does any Gentleman suppose, that by this Address we are to direct the Court Martial, who they shall find guilty, or who they shall declare to be innocent? No, Sir: We mention, indeed, those Gentlemen whose Conduct has appeared to us to be most suspicious; but we do not therefore condemn them, nor do we direct the Court Martial to condemn them. And as we do not condemn those we expressly mention, so, neither do we acquit those we do not mention, nor do we give any Ground to suppose, that all the rest of the Officers in that Squadron were entirely innocent: On the contrary, we expressly desire, that a Court Martial may be appointed to inquire into the Conduct of all other Officers, who are, or shall be, charged with any Misconduct in the late Engagement off *Toulon*.

By this Address therefore, Sir, it cannot be supposed, that any one intends either to screen the Guilty, or to punish the Innocent; and tho' I am far from thinking the Admiral guilty

guilty of any Thing that was highly criminal, yet if we mention any Gentleman's Name at all in our Address, we ought, I think, to mention his Name among the rest, because he stands charged with Misconduct as much as any other Officer in that Squadron. His Misconduct may be of a Nature very different from that which others are charged with, or he may be more able to justify his Conduct; but neither of these we have upon this Occasion any Thing to do with. The Court Martial is to judge of both, and there is nothing more certain or better known, than that Officers are often tried by Courts Martial, tho' they are not so much as suspected of any Thing that can properly be called criminal. Criminal, Sir, is an ugly Word: No Man can properly be said to be so, unless he had a malicious and wicked Intention in what he is accused or suspected of. Many Officers have been tried and condemned and punished too by Courts Martial, who were never suspected of having had a malicious or wicked Intention in what they did, or neglected to do; for military Discipline both by Sea and Land, is, and must be so severe, that Men are often tried and punished for what can be called nothing but mere Neglect: Nay, Men are often tried and punished for what can be called nothing but mere Ignorance; because no Man should undertake a Trust or Command which he does not know how to execute. In the Navy in particular, there is an established Custom, that if his Majesty's Ship be lost in a Storm, or destroy'd by an unforeseen Accident, or taken by an Enemy, the Captain must undergo a Trial by a Court Martial, tho' he is neither charged with, nor so much as suspected of any Neglect or Misconduct. This, I say, is an established Custom in the Navy, and I am sure, there is as much Reason for

making it an established Custom, that when any of his Majesty's Squadrons meets with and engages an inferior Squadron of the Enemy, and lets them escape with very little Damage; I say, there is as much Reason for making it a Custom, that the Commander of that Squadron should undergo a Trial by a Court Martial, as for making it a Custom, that the Commander of a Ship should undergo a Trial when he loses his Ship, let her have been lost by never so extraordinary an Accident. In both Cases, the Presumption is against the Commander, and in both he ought to be made to clear himself by a regular Trial before the proper Court, which is a Court Martial.

Therefore, Sir, from the general Reason of the Thing, and from the Custom of the Navy in a parallel Case, the Admiral ought to be subjected to a Trial by a Court Martial; and if he ought to be subjected to such a Trial, surely, we can do him no Injustice by addressing to have him tried. But in this Case, I really think, there is something more than the general Reason of the Thing. I hope, he will be able to clear himself of every Suspicion, when he comes upon his Trial, before those who are the proper, and the only competent Judges of his Behaviour; but I must confess, I have still some Suspicions of several Parts of his Conduct. I shall not take up your Time, Sir, with explaining all my Suspicions; but I must say, that I should wish with all my Heart, to hear more substantial Reasons given, than any hitherto offered, why he suffered the Enemy to escape without forcing them to a new Engagement, or to desert their disabled Ships. If he had taken as much Care the Night after the Engagement, as he did the Night before, to prevent the Enemy's escaping, I believe, he would have found all their disabled Ships deserted, or destroyed by themselves,

selves, in the Morning; for that they had no Inclination to come to a second Engagement, seems to me probable, by their deserting the *Poder*, the next Day after the Engagement, as soon as they found our Squadron approaching them. During the Night, the Admiral had Time to send for the Captains who had not behaved as they ought in the Engagement, and to suspend such of them as could furnish him with no Hopes of their behaving better in a new Engagement: Even his Vice-Admiral he might that Night have suspended, with more Reason, I think, than he did afterwards; and all these suspended Officers he might have sent to *Port-Mahon*, on board the *Oxford*, which he sent thither next Day as Convoy to the *Marlborough*. He would then have had a Squadron commanded entirely by Officers of his own chusing, and superior to the Enemy; so that the ill Behaviour of his Vice-Admiral and some of the Captains, can be no sufficient Excuse for his not endeavouring, the Night after the Battle, to prevent its being possible for the Enemy to escape from him, and to carry most of their disabled Ships along with them.

But instead of this, Sir, it does not appear to me, that he had any Inclination, or took any Measures, either the first or second Night after the Battle, to force the Enemy to come to a second Engagement, or to desert their disabled Ships. On the contrary, he made no Attempt the first Night to follow the Enemy, or to send out any Cruizers to know what they were about, or what Way they were bending their Course; so that his getting Sight of them next Day, seems to have been more a Chance than Design; and tho' he pursued them all that Day, yet at six o' Clock at Night he brought to, at a great Distance from the Enemy, notwithstanding the Encouragement

he had to pursue, by their having left the *Poder* to be destroyed by him, as she accordingly was that Evening. By thus bringing to, whilst the Enemy was under Sail, and remaining so till after two in the Morning, notwithstanding its being a calm Night and clear Moonshine, he again lost Sight of them; but luckily recovered it again next Morning at Day-Break, and might have come up with them early that Day, if he had not ordered his Vice-Admiral at nine o' Clock in the Morning to give over Chace.

'Tis true, Sir, we have had upon this Head, as upon most others, a Contrariety of Evidence, which has prevented our coming to any absolute Determination; but no Gentleman will, I believe, say, that it was not the Admiral's Duty to destroy the combined Squadron, and for that Purpose to force them to a second Engagement, if it was possible. Whether it was possible or not, is the Question to be determined by a Court Martial, who may know the Character of the Witnesses, and understand their Testimony better than we can. If it was possible, it was a Breach of Duty in the Admiral not to attempt it; and consequently is such a Piece of Misconduct as comes properly under the Cognizance of a Court Martial.

I know, Sir, an Attempt has been made, to turn this Breach of Duty into an Error or Mistake of Judgment, upon these two Accounts: First, because the Admiral had Advices, that a fresh Squadron was sailed from *Brest*; which might by that Time have been arrived in the *Mediterranean*, and that therefore, if he had pursued too far, he had Reason to apprehend being caught in a Snare, by the Enemy's two Squadrons joining together, and forming a Squadron which he was no Ways able to encounter: And, secondly, because his

chief Instruction was, to prevent any Embarkation of Troops from *France* to *Italy*; therefore, he could not pursue the combined Squadron farther, lest that Embarkation should take an Opportunity to sail to *Italy*, before he could return to his Station. But, A Sir, if it were to be laid down as a Maxim, that no Man is to be tried by a Court Martial for an Error or Mistake of Judgment, and if at the same Time such Pretences as these were to be admitted, for making a Neglect or Breach of Duty pass B for an Error or Mistake of Judgment, I believe, we should have very few Officers ever tried by a Court Martial. Therefore, I think, when there is the least Appearance of any Neglect or Breach of Duty, the best, and, I am sure, the most usual Way C is, to have it tried by a Court Martial, who are the best Judges what is to be called a Neglect or Breach of Duty, and what, an Error or Mistake of Judgment. Such a Pretence as either of these now made use of in Excuse for the Admiral, D is a Sort of Demurrer to the Accusation; and surely the Court where the Accusation ought to be tried, is the proper Court for determining whether or no the Demurrer ought to be admitted.

I therefore think, Sir, I have no E Occasion to examine the Strength or the Weakness of either of the Excuses that have been made, for the Admiral's calling back his Vice-Admiral from the Pursuit of the Enemy, upon the second Day after the Battle; because, let them be as valid as F his Friends can wish, they no Way prevent its being proper for us to address for his Conduct's being inquired into by a Court Martial, where alone this Validity can properly be determined. However, I cannot help observing, that the Advices, upon G which both these Excuses are founded, appeared very soon after to be

groundless; for the *French* were so far from being ready to embark any Troops at *Toulon*, that they never so much as attempted it, tho' our Fleet was obliged to bear away to *Port-Mahon* to refit, instead of returning to its Station in *Hieres Bay*; and as to the *Brest* Squadron, it never once attempted to enter the *Mediterranean*; therefore, if it should appear to the Court Martial, that our Vice-Admiral was gaining every Moment upon the combined Squadron, after he got Sight of them at Break of Day, upon the second Day after the Engagement, and if it should appear that it was probable he would have come up with them in a very few Hours, unless they had fled away, and left all their crippled Ships behind them: If this, I say, should be fully proved to the Court Martial, I am afraid, they will scarcely admit these to be good Excuses for the Admiral's calling his Vice-Admiral off the Chace so early that Morning.

But suppose these Excuses were admitted, Sir, as good Excuses for this Part of the Admiral's Conduct, what Excuse has been made, or can be made, for his taking no Care to keep near the Enemy, either the first or second Night after the Battle, or to send out any Cruizers to observe their Motions? If it was his Duty to bring the combined Squadron to a second Engagement, this certainly was likewise his Duty; and it cannot be said, that he was ignorant of this being his Duty, or that he did not know how to perform it; for he had most carefully and exactly performed this very Piece of Duty the Night before the Engagement; and by his exact Performance of this Piece of Duty, he brought on the Engagement that next Day ensued: Nay, if the Vice-Admiral had not committed that unlucky Mistake, which we have heard so much of in this

LETTER to the SECRETARIES of STATE. 19

this Debate, he would have had it in his Power to have forced the Enemy to a regular and general Engagement, which would probably have ended in their utter Destruction. But this necessary Piece of Duty he entirely neglected both the first and second Night after the Battle: Nay, the second Night he took the most effectual Method he could think of, for putting it out of his Power to see the Enemy any more, by bringing to so early in the Evening, and at so great a Distance from the Enemy. **B** This, Sir, was something more than Neglect: For this I have heard no Excuse so much as attempted, except that of his being diffident of some of the Officers under his Command, which I have already shewn to be no Excuse at all, because of the Power and the Opportunity he had to suspend them: And for this, if we had no other Reason, we ought to recommend him to a Court Martial.

In short, Sir, I am ready to make all proper Allowances for human Weakness: I am ready to judge charitably of every Man; and therefore, I do not believe, that either the Admiral or Vice-Admiral committed any wilful Mistake. But both fell into Mistakes; and there is as much Reason for calling the Mistakes which the Vice-Admiral fell into, Mistakes of Judgment, as there is for giving that Appellation to the Mistakes which the Admiral fell into. **E** Therefore, if we act impartially, we must recommend neither, or both, to have their Conduct inquired into by a Court Martial; and consequently, I shall be for inserting both their Names in this Address, unless you agree to have them both left out.

[This JOURNAL to be continued in our next.]

The following LETTERS were translated from the French, and, together with the Originals, published by Authority.

LETTER written to his Majesty's Principal Secretaries of State, by the Ministers of the several Roman Catholick Princes and States residing here.

My Lord,

WE the under-written have seen with equal Grief and Surprize, that the Law of Nations has been violated by the Clause of the Proclamation published the 6th of this Month, against the Roman Catholick Ecclesiasticks*, purporting, that the Foreigners only, in the Service of foreign Ministers, were excepted, and declared exempt from the Penalties pronounced by the said Proclamation.

The Immunities and Prerogatives reciprocally due to the Ministers of all Courts do not respect their own Persons only, but extend to those of all their Domesticks also, without Difference as to Number, or Employment, and still less as to their Countries.

The Proclamation establishes a Distinction of Persons, by restraining the Privileges to those who are Foreigners, whereby this Proclamation equally violates our essential Immunities, and our most valuable Prerogatives. To which must be added, that as there is a Scarcity of foreign Priests in London; and as we did not provide ourselves with any, by Reason of the Custom established from Time immemorial, of making use of those of this Country, the Distinction, or Execution of the Clause above-mention'd, would end in taking from us, or preventing the Exercise of Religion, which is allow'd in all Countries, and is due to the Character, and to the Families of the Representatives of Princes in their own Houses.

And altho' our Rights be firmly and fully established by the Law of Nations, we have besides, the Satisfaction of knowing them to have been acknowledged by the Parliament, the seventh Year of the glorious Reign of Queen Anne.

That Act is solemn and celebrated, because supplying the Defect of former Laws, it tends, as the Queen declares in her Letter to the Czar Peter, to prevent for the future all Offence or Violation of the Privileges, as well of Ambassadors, as of other foreign Ministers.

G The said Act expressly declares, that whosoever should dare to arrest, or sue at Law, any of the said Ministers, or of their Servants, without the least Distinction, is

C 2 guilty

guilty of a Violation of the Law of Nations.

It is to be observed, that as that Act excepts only Tradesmen, and other Merchants subject to Bankruptcy, who should enter into the Families of Ambassadors or foreign Ministers, every other Person belonging to them, without Difference as to Nation, Employment, or Number, is to enjoy all their Privileges, and all their Immunities.

Being therefore confident, that the committing so sensible an Offence against the Law of Nations, is very far from the King's Intentions, and the Prudence of his Ministers, we thought ourselves, at first, obliged to represent to your Excellency, by Word of Mouth, as we did, the above-mentioned Considerations, with our Desire that you would lay them, in a respectful Manner, on our Part, before his Majesty, to the End that he might be pleased to give clear and precise Orders for redressing the said Clause, as being directly contrary to the Immunities and Privileges, which all our Domesticks ought to enjoy, without Exception.

But at the Time that we were expecting the Redress of the said Clause, and even before we had any Answer from your Excellency, a Domestick of the Envoy from the King of Portugal was violently arrested, and carried to the common Goal where all Malefactors are confined, put in Irons, where he is still detained.

We cannot pass by in Silence the very aggravating Circumstance, that the Certificate, which proved him to belong to the Family of that Minister, having been produced to the Justice of Peace, he protested that such a Certificate did not protect any of the Nationals.

Another Offence was committed by the Orders given to arrest a Domestick of the Ambassador of Venice.

The Justice having seen, and even acknowledged the Certificate of that Ambassador, declared, that at present he could pay no Regard to it. And what is more, the Constable declared besides, (as your Excellency will be pleased to observe by the inclosed Paper) that he would arrest that Domestick in the House of the Ambassador himself.

All these Insults and Offences oblige us indispensably to demand, that, in Expectation of the Orders of our Sovereigns, the Domesticks of the Portugal Envoy be immediately set at Liberty, and that the Magistrates may be directed to acknowledge what appertains to the Immunities and Privileges of the Families of the foreign Ministers.

In Expectation of the said Orders, we cannot abstain from demanding moreover, that the audacious Behaviour of the said

Constable may be severely punished, the Usage of many Ages leaving no Room to doubt, but that the Houses of Ministers ought to be respected in the same Manner as those of the Princes themselves, whom they represent; and it being also notorious, that in the most heinous Cases of State Criminals, no Prince would proceed to that Extremity, without having first demanded back from the Ambassador the Person accused.

By these Considerations we find ourselves obliged to take another Step, still more indispensable than the former, viz. To prevent all Delay of redressing the Clause above-mentioned, and of giving us Satisfaction upon our Complaints herein set forth, by protesting all of us together, as we do by this Memorial, and as is proper for the Preservation of our Rights, and of those of our Successors, against the said Clause, as also against every Thing that has followed upon it, or may follow, and against every other Consequence, till such Time as we can give an Account to our respective Sovereigns, and receive suitable Orders from them.

Having Regard, particularly, in the present Situation, to the Intentions of the Princes whom we have the Honour to serve, we renew the Declaration made to your Excellency by Word of Mouth, and of our own Accord, viz. That if any one of our Domesticks were guilty of, or an Accomplice in, any Crime against the Government, we are ready to dismiss him from our Service, and to withdraw the Protection, as well as the Certificate, where with he should be provided.

We have the Honour to be with Respect,

My Lord,

Your Excellency's most humble,

And most obedient Servants,

N. B. The above Letter, in French, was sign'd by Monsieur de Wasnar, Minister Plenipotentiary of their Imperial Majesties; the Count de Haslang, Minister Plenipotentiary of his Most Serene Highness the Elector of Bavaria; and Monsieur de Champigny, Minister of his Most Serene Highness the Elector of Cologne.

Another Letter of the same Purport, in Italian, was signed by Signor Capello, Ambassador from Venice; Monsieur Gastaldi, Minister of Genoa; and Monsieur Caetano, the Portuguese Secretary.

A Third, in the same Language, by the Chevalier Oforio, Envoy Extraordinary from the King of Sardinia; and Monsieur Pucci, charged with the Affairs of his Imperial Majesty for the Great Duchy of Tuscany.

LETTER

LETTER from JAMES HAMILTON, a Roman Catholick Priest, to the Venetian Ambassador, referred to in the above Letter from the Ministers.

Your Excellency,

I Take the Liberty to inform your Excellency, that Justice *de Veil* had issued a Warrant against me to take me up, and that last *Tuesday* the House where I lodge was beset with Constables three or four Hours together; thereupon I sent two Gentlemen to Justice *de Veil*'s House, who produced to him, and gave him to read, your Excellency's Protection; and he answered them, that at present he will have no Regard to your Excellency's Protection. The same Constables were two or three Times the next Day, and had the Boldness to say to the People where I lodge, that they will take me even out of your Excellency's House. I have therefore thought it my Duty to acquaint your Excellency with it, and most humbly beg, that you will continue me under your gracious Protection, and honour me with your Orders how I am to behave. And I am with profound Respect,

Your Excellency's most humble

12 Dec. 1745. And most obedient Servant,
JAMES HAMILTON.

ANSWER by his Majesty's Secretaries of State.

Whitehall, Jan. 7, 1745-6,

Gentlemen,

I Have not failed to acquaint the King with the Contents of the Letter which you honoured me with the 29th of last Month, wherein you complain very bitterly and even protest against what was inserted in the Proclamation published the 1st, with respect to *Roman Catholick Priests*, being his Majesty's Subjects, who should be in the Service of the foreign Ministers, insisting upon an unlimited Protection in Favour of all those whom you call by the Name of your *Domesticks*, "without Disturbance as to Number, or Employment," and still less to their Country.

I am to answer you by his Majesty's Command, that he is very far from intending to infringe the Privileges and Immunities of Ambassadors, and other foreign Ministers, granted to them by the Law of Nations, and consistent with the Laws of this Country.

Neither does the King think that they have been violated in the least by the said Proclamation.

First, As to what concerns the Law of Nations, it is absolutely necessary that the Privileges which it establishes, should be consistent with the internal Welfare and Security of the Countries where the Ministers reside.

Now the Number of national *Roman Catholick Priests*, who swarm more than ever in this Town, was found dangerous to the State, especially at a Time of open Rebellion in Favour of a Pretender of the same Religion. Their secret Plottings against the King's Government, whereof his Majesty has many Indications; their injurious Discourses, nay even their Threats, and the daily Conversions which they make of his Majesty's Protestant Subjects to the *Roman Catholick Faith* (tho' by those very Conversions they are liable to the Punishment enacted by the Laws against Persons guilty of High Treason;) All those Circumstances together had given so great Uneasiness, that it was absolutely necessary to provide a Remedy against them.

The Protection therefore, which his Majesty owes to his own Subjects would not allow of his any longer suffering Persons of that Kind, irreconcilable Enemies to his Government, to remain in the Heart of his Dominions.

As to what you alledge, Gentlemen, concerning the free Exercise of your Religion in your own Houses, the King does not dispute it: The Law of Nations authorizes you to claim it.

If the Question were only about private Chapels for your own Families, served by your Domestick Chaplains duly qualified, no-body would have any Thing to say against it.

But is that really the Point in Debate? I appeal to your own selves.

Are not open Chapels maintained, under Colour of publick Protection, with an enormous Number of Priests, out of the Houses of the Ministers, who lend their Names to them? Is it for the Use of the Minister's Family that Mass is therein celebrated from Morning to Night, or rather for the Sake of furnishing his Majesty's converted Subjects with Opportunities of being present at it against Law?

Is there any *Roman Catholick Country* where such an Extention of their Privileges is allowed to Protestant Ministers? Is there any such Thing practised at *Vienna*, at *Paris*, or at *Madrid*?

It is true, that this has been winked at in Times when the Religion of the Country was not openly and forcibly attacked.

It does not however follow, that a natural Right is given up, because it is not vigorously exercised.

I come, in the second Place, to the Laws of this Country, which are appeal'd to by the *Roman Catholick* Ministers, in their Letter, equally with the Law of Nations, they quoting therein the Act of Parliament of the 7th of *Queen Anne*; and I shall very readily allow them that it is, as they stile it, "a solemn and celebrated Act, supplying the Defect of former Laws, and tending to prevent for the future all Offence or Violation of the Privileges, as well of Ambassadors, as of other Foreign Ministers."

But it must be consider'd at the same Time, that this Act, as appears by the whole Tenor of it, relates solely to Law Suits, and Civil Arrests upon account of Debts.

And accordingly it was upon Occasion of a Foreign Ambassador's being detained for Debts, that it was pass'd: And it was in that Point only that it was found necessary, and intended to supply the Defect of the former Laws, inasmuch as there were none before in being upon that Subject.

Would any one infer from thence, that the Intention was to authorize Foreign Ministers to protect State Criminals, Disturbers of the Publick Peace, or Persons dangerous to Society, or suspected by the Government upon any Account whatsoever?

Or can it be thought, that in supplying the Defect of the former Laws, it was meant to abolish the most essential and fundamental ones of the Country?

Amongst these last, there are none held in greater Veneration by a Protestant People, than those which forbid, under severe Penalties, the Celebrations of Mass by national Priests. Of this Kind there are several Acts of Parliament still in full Force, pass'd, repeated, and even enforced at different Times since the Beginning of the Reign of *Queen Elizabeth*. I shall mention one, which does not allow them to celebrate it even in the Houses of foreign Ministers. It is the Act of the 11th and 12th of *William III.* An Act not above eight or nine Years prior to that above-mention'd of *Queen Anne*: It is therein expressly declared, That no Subject of the King's, whether natural-born, or naturalized, may celebrate Mass even in the Houses of foreign Ministers; and that the Names and Places of Nativity, even of the foreign Priests, whom they shall make use of, shall be register'd in the Office of the Principal Secretary of State.

But suppose that this Act of *Queen Anne* were as unlimited as it is pretended. The Ministers do admit of one Exception to what they call their Privileges, with regard to Tradersmen, and in general to such Persons as may become Bankrupts: Will they

not admit of any, when the Question is about the publick Security, and the very Existence of the Government? The Law of Nations can certainly never be contrary to that, and can consequently give no Title to exclaim against a Remedy, which has been necessarily made use of to obviate the Dangers justly apprehended from the Popish Priests; and especially, if it be considered, that the Necessity of applying that Remedy was partly owing to the Abuse of the Indulgence of past Times by the protected Priests.

To conclude, The *Roman Catholick* Ministers may rely upon the King's Protection for their Persons, for their Families, and for the Exercise of their Religion in their own Houses, according to the Law of Nations, and according to the Usage of all other Countries, with Regard to Ministers of a different Religion from that which is establish'd in the Country where they reside.

The King does not pretend to subject Foreign Ministers to his Ordonnances; but he has a Right to require the Obedience of his own Subjects to the Laws of their Country. He has not the Power to dispense with it, and we know of no Foreign Protection that can do it.

His Majesty therefore has Reason to expect, that, upon this Exposition of the Reasons and Justice of his Proceeding in this Affair, the *Roman Catholick* Ministers will be pleas'd to discharge from their Service every Popish Priest who is a Subject of the King's; and that they will for the future make use of Foreign ones only; his Majesty not being able to persuade himself that any Foreign Powers in Alliance or Friendship with him, as those are, whom you, Gentlemen, have the Honour to represent, would insist, under the Name of Privilege, upon Things prejudicial in the highest Degree to the Government of the Country where you reside on their Part, and contrary to its ancient and fundamental Laws, upon which the King's Proclamation, which you complain of, was built.

As to what remains, If it be true, that an Officer of Justice did make use of the Expressions, imputed to the Constable, who is mention'd in your Letter, with Regard to the House of the *Venetian* Ambassador, you may be assur'd, that his Majesty entirely disapproves them, and that the necessary Inquiries shall be made, in order to cause such Satisfaction to be given to his Excellency, as shall appear to be due.

I am, &c.

His

His MAJESTY's most Gracious SPEECH
to both Houses of Parliament, Jan. 14.

My Lords and Gentlemen,

AT the Opening of this Session of Parliament, I did not think it proper to lay any Thing before you for your Consideration, but what immediately related to the present unnatural Rebellion, and our Security at home. The daring Attempt, which the Rebels have since made upon this Part of my Kingdom, has been happily disappointed; and, as their precipitate Flight before a small Number of my Troops, must greatly dispirit their Followers; so, that inviolable Duty and Loyalty, which have been so universally and steadily shewn by my faithful Subjects, and shall never be forgotten by me, must convince them, how vain and ill-grounded their Hopes are, of any Addition of Strength from such an Enterprize. I have not only sent a considerable Body of our national Forces into *Scotland*, and order'd the *Hessian* Troops in my Pay to be landed there; but have also made such a Disposition of the rest of my Forces, by Land, as well as by Sea, that, I hope, by the Blessing of God, this Rebellion will, in a short Time, be extinguished, and our Enemies, who have so long menaced us with an Invasion, be deterr'd by the seasonable Preparations made for our Defence.

The Election of the Emperor, which I very zealously promoted, was an Event of great Importance, not only to the Support of the House of *Austria*, but to the Liberties of *Europe* in general. I did also, during the Course of the last Year, exert my earnest Endeavours to bring about an Accommodation between the Empress, the King of *Poland*, and the King of *Prussia*, and laid a proper Foundation for it, by the Convention made between me, and the King of *Prussia*. This great Work being at length perfected, under my Mediation, by the Treaty lately concluded at *Dresden*, the interior Tranquillity of *Germany* amongst the Princes of the Empire is now restor'd. My next Care has been, and shall continue to be applied to improve this Accommodation to the best Advantage, by procuring an immediate Succour to be sent to *Italy*, and such a Strength for the Defence and Security of the United Provinces, as may preserve that Republick, the ancient and natural Ally of this Kingdom, and one main Support of the Protestant Cause, from the Destruction with which it is threatned, as well as to attain a safe and honourable Peace. The States General have made the most pressing Instances to me to assist them in this difficult Conjunction.

The imminent Dangers to which they are, at present, exposed, which do so nearly affect the Safety of *Great Britain*, as well as the very Being of *Holland*, call for our most serious Attention; for, the Interests of the two Nations are so united, that whatsoever brings Ruin upon the one, must, in Consequence, be attended with the most fatal Mischiefs to the other. These Reasons have induced me to assure the States, that I will, to the utmost of my Power, according to the Circumstances of my own Dominions, co-operate with them towards opposing the further Progress of our Enemies in the *Netherlands*, and procuring a proper Security for the Republick against the ambitious and destructive Designs of *France*. In order to this necessary End, Measures are now actually concerting between me, and the States, for furnishing this Assistance on my Part, as early and effectually as possible, and for their making such an Augmentation of their present Forces, as their own immediate Preservation, and the Necessity of Affairs, absolutely require.

The great Advantages, which we have received from our naval Strength, in protecting the Commerce of my Subjects, and intercepting and distressing that of our Enemies, have been happily experienced by the former, and severely felt by the latter. I am therefore determined to be particularly attentive to this important Service, and to have such a Fleet at Sea early in the Spring, as may be sufficient to defend ourselves, and effectually to annoy our Enemies.

Gentlemen of the House of Commons,

It is with much Regret, that I find myself obliged to ask any farther Aids of my People. I am so sensible of the Burdens they endure, that nothing could give me so sincere a Pleasure as to lighten them. But the Considerations, I have laid before you, are so necessary to our own Preservation, that I doubt not, you will grant me such a Supply, as shall be sufficient for these Purposes. The proper Estimates shall soon be laid before you; and I earnestly recommend it to you, to take the most effectual Methods to maintain the Publick Credit in this Conjunction.

My Lords and Gentlemen,

I have fully opened to you my Views and Intentions, which are so essential to the Honour of my Crown, and the true Interest and Well-being of my Kingdoms, that I depend on your vigorous Support, and the utmost Unanimity and Dispatch in your Proceedings.

The LORDS ADDRESS, presented
on Wednesday, Jan. 15.

Most gracious Sovereign,

WE, your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, beg Leave to return your Majesty our humble Thanks for your most gracious Speech from the Throne.

The great Care, which your Majesty has taken for suppressing the present wicked and unnatural Rebellion, and for defending this Kingdom against an Invasion, is a fresh Instance of your paternal Goodness and Concern for your People; the Continuance of whose Religious and Civil Rights is involv'd in the Preservation of your Majesty, and of the Protestant Succession in your Royal House.

We beg Leave to congratulate your Majesty on the Success of your Arms, in disappointing the Attempt of the Rebels upon this Part of *Great Britain*. As your Troops, led on and animated by the Bravery and Example of his Royal Highness the Duke, could not fail to strike Terror into the Rebels; so your Majesty's gracious Acknowledgment of the inviolable and active Loyalty of your faithful Subjects, must be the most encouraging Motive to them, steadfastly to persevere in the same Principles. We comply therefore with every Call of Interest, as well as of Duty, when we give your Majesty the warmest Assurances of our most zealous and vigorous Support, totally to extinguish this Rebellion, in every Part of the United Kingdom; and entirely to defeat the Designs of the Pretender, and all those who shall presume to assist or abet him.

It is with Gratitude we acknowledge your Majesty's great Wisdom and Regard for the publick Welfare, in exerting your powerful Influence to promote the Election of the Emperor, and to bring about an Accommodation between the Empress, the King of *Poland*, and the King of *Prussia*. We look with much Satisfaction on the Completion of this great Work; in Consequence of which, an immediate Succour may be sent to *Italy*; your Majesty's faithful Ally, the King of *Sardinia*, be timely supported; and a Strength procured for the Defence and Security of the *Low Countries*.

We are most sensibly affected with the imminent Dangers, to which the United Provinces are exposed. We consider their Preservation and Security, as of the highest Importance to the Safety of these Kingdoms, whose Interests have been closely

connected with those of that Protestant Republick, ever since its first Foundation. We therefore beg Leave to assure your Majesty, that we will vigorously support you, in taking proper Measures for their Defence, and in making good such necessary Engagements, as your Majesty shall enter into, for co-operating with them, towards opposing the further Progress of our Enemies in the *Netherlands*; and procuring a proper Security for the States General, against the ambitious and destructive Designs of *France*; and for attaining a safe and honourable Peace.

Your Majesty's Prudence, and tender Concern for your People, appear in nothing more, than in the Regard you express for the Circumstances of your own Dominions. We cannot doubt, but this Consideration will have its due Weight with your Allies; and that the States will make such an Augmentation of their Forces, and all such further Efforts, as their own immediate Danger and the present Exigency of Affairs require.

The Advantage which *Great Britain* has received, and the Losses and Distress which her Enemies have felt from our Naval Strength, are visible to all the World. Your Majesty's Resolution therefore to be particularly attentive to this important Service, and to have a strong Fleet at Sea, early in the Spring, gives us the greatest Satisfaction.

Your Majesty's gracious Declaration, that you have fully opened to us your Views and Intentions, is an additional Ground for that just Confidence, which we repose in you: And we do, in the most solemn Manner, assure your Majesty, that the Menaces thrown out, and the Preparations made by our Enemies, have had no other Effect upon our Minds, but to increase our Indignation against their destructive Projects and Attempts; and to augment and heighten our Zeal and Ardour, in the Cause of your Majesty and our Country.

HIS MAJESTY's most gracious ANSWER.

My Lords,

I Return you my Thanks for this dutiful and affectionate Address. The just Sense you express of the Situation of Affairs, and of the proper Conduct to be pursued, in order to extinguish the Rebellion, support our Friends, and defeat the Designs of our Enemies, gives me great Satisfaction. I rely on your vigorous Support; and you may depend on my firmly adhering to such Measures, as shall be most for the Honour of my Crown, and the true Interest of my Kingdoms, in our present Circumstances.

The

The COMMONS ADDRESS, Thursday, Jan. 16.

Most Gracious Sovereign,

WE your Majesty's most dutiful and loyal Subjects, the Commons of Great Britain, in Parliament assembled, beg Leave to return your Majesty our sincere Thanks for your most gracious Speech from the Throne.

It is with the truest Satisfaction that we congratulate your Majesty on the Success of your Arms, under the Command of his Royal Highness the Duke, in driving the Rebels out of one Part of the united Kingdom; not doubting, but by the Zeal and Loyalty of your faithful Subjects, and the further Progress of your Troops, this unnatural Rebellion will be happily and speedily extinguished throughout the whole Kingdom: And we assure your Majesty, that we will persevere in supporting your Majesty in all such Measures, as shall be thought necessary for so desirable an End: And though we trust in your Majesty's Wisdom, that the Measures you have already pursued, will deter any foreign Power from undertaking so rash an Enterprize as the Invasion of this Island; yet we beg Leave to assure your Majesty, that, whatever further Strength shall be found necessary, you may depend on your faithful Commons for their cheerful and ready Assistance to make good the same.

Permit us to congratulate your Majesty on the Success of your Endeavours in the Choice of an Emperor, and thereby procuring an additional Strength to the House of Austria, and a further Security to the Liberties of Europe in general.

We take this Occasion to express our highest Satisfaction on the Peace, concluded between the Empress, the King of Poland, and the King of Prussia; whereby the interior Tranquillity of the Princes of the Empire is restored, and the Empress enabled more effectually to support herself and her Allies in Italy, particularly the King of Sardinia; to whose Assistance we will contribute, on our Part, whatever shall be found necessary and expedient.

And your Majesty may depend on your faithful Commons, that, as they are fully sensible, that the true Interest of the States General, and that of these Kingdoms is the same, they will enable your Majesty, as far as our Circumstances will permit, to give that Succour to the United Provinces, which, with a proper and vigorous Exertion of their own Strength, may put a Stop to the further Progress of the Arms of France in the Netherlands, procure them a sufficient

Security against their Enemies, and obtain a safe and honourable Peace.

We beg leave to return your Majesty our Thanks for the particular Care which your Majesty has taken, and graciously promises to continue, of the Naval Strength of these Kingdoms; from whence we have already received, and from which, under your Majesty, we may justly hope for, the most important Services.

And we assure your Majesty, that we will, in all our Deliberations, have the greatest Regard to publick Credit, the Support of which is, at this Time, so essentially necessary towards carrying into Execution every Measure, that can conduce to the Honour of your Majesty, and the true Interest and Well-being of your People.

His MAJESTY's most gracious ANSWER.

Gentlemen,

I Thank you for this dutiful and affectionate Address. The Zeal you express, and the Assurances you give, of vigorously supporting me in suppressing the Rebellion, and in assisting our Allies, are very agreeable to me. You may be assured, that in all the Measures I shall pursue for attaining these Ends, I shall have a constant Regard to the Abilities of my People, as well as to the true Interest and Security of my Kingdoms.

A SPEECH made by Queen ELIZABETH (of famous Memory) in Parliament, Anno 1593, and in the 35th Year of her Reign, concerning the Spanish Invasion.

My Lords and Gentlemen,

THIS Kingdom hath had many wise, noble, and victorious Princes; I will not compare with any of them in Wisdom, Fortitude, or any other Virtues: But saving the Duty of a Child, that is not to compare with his Father, in Love, Care, Sincerity and Justice, I will compare with any Prince that ever you had, or shall have.

It may be thought Simplicity in me, that all this Time of my Reign I have not sought to advance my Territories and enlarge my Dominions; for Opportunity hath served me to do it. I acknowledge my Womanhood and Weakness in that Respect; but though it hath not been hard to obtain, yet I doubted how to keep the Things so obtained: And I must say, my Mind was never to invade my Neighbours, or to usurp over any; I am contented to reign over my own, and to rule as a just Prince.

Yet

Yet the King of Spain doth challenge me to be the Quarreller and the Beginner of all these Wars; in which he doth me the greatest Wrong that can be; for my Conscience doth not accuse my Thoughts wherein I have done him the least Injury; but I am persuaded in my Conscience, if he knew what I know, he himself would be sorry for the Wrong that he hath done me.

I fear not all his Threatnings; his great Preparations and mighty Forces do not stir me: For tho' he come against me with a greater Power than ever was, his *invincible Navy*, I doubt not (God assisting me, upon whom I always trust) but that I shall be able to defeat and overthrow him. I have great Advantage against him, for my Cause is just.

I heard say, when he attempted his last Invasion, some upon the Sea-Coast forsook their Towns, and flew up higher into the Country, and left all naked and exposed to his Entrance: But I swear unto you, if I knew those Persons, or any that should do so hereafter, I will make them know and feel what it is to be so fearful in so urgent a Cause.

The Subsidies you give me I accept thankfully, if you give me your good Wills with them; but if the Necessity of the Time and your Preservations did not require it, I would refuse them: But let me tell you, that the Sum is not so much, but that it is needful for a Princess to have so much always lying in her Coffers, for your Defence in Time of Need, and not to be driven to get it when we should use it.

You that be Lieutenants and Gentlemen of Command in your Countries, I require you to take Care that the People be well-armed, and in Readiness upon all Occasions. You that be Judges and Justices of the Peace, I command and straitly charge you, that you see the Laws to be duly executed, and that you make them *living Laws*, when we have put Life into them.

Another SPEECH of the renowned Queen ELIZABETH, 1601, in the 44th Year of her Reign.

Mr. Speaker,

WE have heard your Declaration, and perceive your Care of our State, by falling into the Consideration of a grateful Acknowledgment of such Benefits as you have received; and that your Coming is to present Thanks unto us, which I accept with no less Joy, than your *Loves* can have Desire to offer such a Present.

I do assure you, there is no Prince that loveth his Subjects better, or whose Love

can countervail our Love. There is no Jewel, be it of never so rich a Price, which I set before this Jewel, I mean, *our Love*; for I do more esteem of it than of any Treasure or Riches; for *that* we know how to prize, but *Love* and *Thanks* I count invaluable.

A And tho' God hath raised me high, yet this I count the Glory of my Crown, that I have *reigned with your Loves*. This makes me that I do not so much rejoice, that God hath made me to be a Queen, as to be a Queen over so *thankful a People*.

B Therefore, I have Cause to wish nothing more than to content the Subjects; and that is a Duty which I owe. Neither do I desire to live longer Days than that I may see your Prosperity; and that is my only Desire.

C And as I am that Person that still (yet under God) hath delivered you, so I trust (by the Almighty Power of God) I still shall be his Instrument to preserve you from Envy, Peril, Dishonour, Shame, Tyranny, and Oppression; partly by Means of your intended Helps, which we take very acceptably, because it manifests the Largeness of your *Loves* and *Loyalty* to your *Sovereign*.

D Of myself I may say this, I was never any greedy, scraping Grasper; nor a strait, fast-holding Princess; nor yet a Waster. My Heart was never set on worldly Goods, but only for my Subjects Good. What you do bestow on me, I will not hoard it up, but receive it to bestow on you again: Yea, my own Properties I count yours, and to be expended for your Good; and your Eyes shall see the bestowing of all, for your Good. Therefore render unto them from me, I beseech you, Mr. Speaker, such E Thanks as you imagine my Heart yieldeth, but my Tongue cannot express.

From the Universal Spectator, Jan. 4.

F Extract from a LETTER, sent last Year from an English Officer in Flanders, in Praise of the DUKE.

I Never could imagine any one Person endowed with so many amiable and admirable Qualities, so justly mixed and tempered with each other, that none of them can be charged with the least Defect or Excess. His most undaunted, most ardent Courage is accompany'd with the exactest and coolest Judgment. He fears nothing, and yet is guarded against every Thing. Regardless of Danger to his own Person, he is anxious for the common Safety and

and Good of his Army. He is bold without Rashness, and compassionate without Weakness; brave to conquer an Enemy, and, when he has conquered him, would be as humane to spare him. So that none was ever more by Nature fitted and disposed to answer the great Character of the true Hero, which is,

Parcere subjectis, & debellare superbos.

Or, as Horace expresses the softer Part of the Character, to be

— *jacentem*
Lenis in hostem.

He is remarkably condescending and affable to all, and yet never loses the Dignity or Authority of his Character with any. He is cheerfully obey'd, because he is heartily beloved. This is but a very little of what I could write justly in Praise of the Duke of CUMBERLAND. —

A new Weekly Paper has lately appear'd, to be continued every Tuesday, call'd, The True Patriot, from which we shall now and then entertain our Readers with an Extract.

True Patriot, Jan. 7. N^o 10.

An imaginary JOURNAL of Events, shewing what we might have expected if the Rebels had succeeded in their Undertaking. The Journalist, suppos'd to be an honest Tradesman, living in the busy Part of the City.

Tu, Jupiter, quem statorem hujus Urbis atque Imperii vere nominamus: Hunc et hujus socios a tuis aris ceterisque templis, a tellis urbis ac mœnibus, a vita fortunisque civium omnium arcebis: et omnes bonorum inimicos, hostes patriæ, latrones Italia, scelerum fœdere inter se ac nefaria societate conjunctos æternis suppliciis, vivos mortuosque mactabis.

Cic. in L. Catil.

January 1, 1746.

THIS Day the supposed Conqueror was proclaimed at Stocks Market, amidst the loud Acclamations of Highlanders and Friars. I was enabled, from my own Windows, to view this Ceremony; Walbrook Church, the Mansion-House, and several others adjoining, having been burnt and razed in the Massacre of last Week. Father O-Blaze, an Irish Dominican, read upon the Occasion a Speech out of a Paper, which he stiled an extempore Address. Melancholy as I was, I could not help smiling at one of his Expressions, when speaking of the New Year, he talked of Janus's Faces, each of which look'd both backward and forward.

Jan. 2. A Proclamation issued for a free Parliament (according to the Declaration) to meet the 20th Instant. The 12 Judges removed, and 12 new ones appointed, some of whom had scarce ever been in Westminster-Hall before.

Jan. 3. Queen Anne's Statue in St. Paul's Church-Yard taken away, and a large Crucifix erected in its Room.

Jan. 4, 5, 6. The Cash, Transfer Books, &c. removed to the Tower, from the Bank, South-Sea, and India Houses, which ('tis reported) are to be turned into Convents.

Jan. 10. Three Anabaptists committed to Newgate, for pulling down the Crucifix in Paul's Church-Yard.

Jan. 12. Being the first Sunday after Epiphany, Father Mac-Dagger, the Royal Confessor, preach'd at St. James's—sworn afterwards of the Privy Council—arrived the French Ambassador with a numerous Retinue.

Jan. 20. The free Parliament opened—the Speech and Addresses filled with Sentiments of civil and religious Liberty.—An Act of Grace propos'd from the Crown, to pardon all Treasons committed under Pretext of any Office, civil or military, before the first Declaration's being promulgated, which was in the Isle of Mull, about 19 Months ago. The Judges consulted, whether all Persons throughout Great Britain were intended to be bound by this Promulgation, as being privy to it. 'Twas held they were, because *Ignorantia legis non excusat*.

Jan. 22. Three Members, to wit, Mr. D—n, Mr. P—t, and Mr. L—n, were seized in their Houses, and sent to the Tower, by a Warrant from a Secretary of State.

Jan. 24. A great Court at St. James's, at which were present * and * and * and * and *, and all kissed Hands.

Jan. 25. The three Anabaptists above-mentioned tried for their Offence, and sentenced to be hanged. Executed the same Day, attended by Mr. Mac-benly the Ordinary.

Jan. 26. This Day the Gazette informs us, that Portsmouth, Berwick, and Plymouth, were delivered into the Hands of French Commissaries, as Cautionary Towns; and also 20 Ships of the Line, with their Guns and Rigging, pursuant to Treaty.

Jan. 27. Tom Blatch, the old Small-Coal-Man, committed to the Compter, for a violent Assault on Father Mac-dagger and three young Friars. 'Twas the Talk about Town, that they had attempted the Chastity of his Daughter Kate.

Jan. 28. A Bill brought into the Commons, and twice read the same Day, to repeal the Act of Habeas Corpus, and that

by which the Writ *de Hæretico comburendo* was abolished. A Mutiny the same Day among the Highland Soldiers — quelled by doubling their Pay.

Jan. 31. The above Bill passed. A Motion made about the *Restoration of Abbey Lands* — rejected by the Lords, 7 *English Roman Catholick* Peers being in the Majority.

February 1. All Peerages declared void since the Revolution, and 24 new Peers created, without a Foot of Land in the Island. A second Mutiny among the Soldiers.

Feb. 2. *Long Acre* and *Covent-Garden* allotted out in Portions to the Highland Guards. Two Watermen and a Porter committed to the *Lollards Tower* at *Lambeth*, for Heresy.

Feb. 3. Father *Poignardini*, an *Italian Jesuit*, made *Privy-Seal*. A Bill proposed against the Liberty of the Press, and to place the Nomination of Jurors, *exempt from Challenge*, in the Crown. Several *Catholick Lords and Gentlemen*, being *English*, quit the Court, and retire into the Country. More Hereticks sent to *Lambeth*.

Feb. 5. A Promotion of 18 General Officers, three only of which were *English*. Lord *John Drummond* made Colonel of the First Regiment of Foot Guards; the Duke of *Perth*, of the Second; and Lord *George Murray*, of the Third.

Feb. 6. Various Grants passed the *Privy Seal* of Lands in various Counties to Generals, Ecclesiasticks, and other Favourites, all Foreigners.

Feb. 9. A Petition from various Persons, Sufferers by the said Grants, setting forth their Fidelity to the Government, and that particularly in the late Troubles, tho' they had never enter'd into any Schemes in favour of his present Highness, yet they had constantly declined all Subscriptions, Associations, &c. to his Prejudice. Father *Mac-dagger* brought them for Answer, that the Associates and Subscribers had at least shewn their Attachment to some Government, but that an Indifference to all Government deserved Favour from none, and that therefore their Petition was rejected.

Feb. 13. Four Hereticks burnt in *Smithfield* — Mr. *Mac-benly* attended them, assisted on this extraordinary Occasion by Father *O-Blaze*, the *Dominican*.

Feb. 19. Rumours of a Plot. More Hereticks committed. The Judges declare the Power of the Crown to suspend Laws. Father *Mac-dagger* made President of *Magdalen College* in *Oxford*.

Feb. 21. Four Lords and two Commissioners taken into Custody for the Plot, all *English*, and two of them *Roman Catholicks*. The Deanry of *Christ Church* given

to Father *Poignardini*, and the Bishopricks of *Winchester* and *Ely*, to the General of the *Jesuits Order*, resident in *Italy*.

Feb. 28. Six more Hereticks burnt in *Smithfield*. A fresh Motion made to restore the Abbey Lands — carried in the Lords House, but rejected by the Commons. Several Members of the Lower House sent to the Tower by a Secretary of State's Warrant, and the next Day expelled, and fined by the Privy Council 1000*l.* each.

March 1. The French Ambassador made a Duke, with Precedence. The Motion for restoring Abbey Lands carried. *Cape Breton* given back to the French, and *Gibraltar* and *Portmaben* to the Spaniards.

March 2. Seven more Hereticks burnt. A Message from the Crown, desiring the Advice of this free Parliament touching the Funds. An humble Address immediately voted by way of Answer, praying that his Highness would take such Methods, as they might be effectually and speedily annihilated.

March 4. An eminent Physician fined 200 Marks in the King's Bench, for an *Innuendo* at *Batfon's*, that *Bath Water* was preferable to holy Water. Three hundred Highlanders, of the opposite Party, with their Wives and Children, massacred in *Scotland*. The Pope's Nuncio arrived this Evening at *Greenwich*.

March 7. The Pope's Nuncio makes his Publick Entry — met at the *Royal Exchange* by my Lord Mayor (a Frenchman) with the Aldermen, who have all the Honour to kiss his Toe — proceeds to *Paul's Church-Yard* — met there by Father *O-Blaze*, who invites him, in the Name of the New Vicar-General and his Doctors, to a *Combustio Hæreticorum*, just then going to be celebrated. His Eminence accepts the Offer kindly, and attends them to *Smithfield*, where the Ordinary is introduced and well received — The Nuncio proceeds thence to *St. James's*, where he had been expected for five Hours. — the Nobility and great Officers of State all admitted to kiss his Toe — A grand Office opened the same Night in *Drury-Lane* for the Sale of Pardons and Indulgences.

March 9. My little Boy *Jacky* taken ill of the Itch. He had been on the Parade with his God-father the Day before, to see the Life-Guards, and had just touched one of their Plaids.

March 12. His Highness sends a Message to the Commons, acquainting them with his Design of equipping a large Fleet for the Assistance of his good Brother of France, and for that Purpose demanding two Millions to be immediately raised by a Capitation. A warm Debate thereon. His Highness goes to the House of Commons at 12 at Night, places himself in the Speaker's Chair,

Chair, and introduces the *French* Ambassador. His Excellency makes a long Speech, setting forth the many Services which his Master had done this Nation, and the great Good-Will he had always borne towards them, and concluding with many haughty Menaces, in case they should prove ungrateful for all his Favours. He is seconded by the Laird of *Keppoch*, Chancellor of the Exchequer. The Speaker stands up and utters the Word *Privilege*, upon which he is sent to the *Tower*. Then Mr. Chancellor of the Exchequer moved, that the Members against the Motion might have Leave to withdraw; and several having left the House, the Question was put, and carried in the Affirmative, *nem. con.*

March 16. Lord C. J. *W—les*, and Admiral *V—r*, hang'd at *Tyburn*. Several others were reprieved on the Merit of having been Enemies to those two Great Men, and were only ordered to be whipt at the Cart's Tail.

March 17. Fresh Rumours of a Plot—a Riot in the City—a Rising in the North—a Descent in the West—Confusions, Up-
roars, Commitments, Hangings, Burnings, &c. &c.

—verbum non amplius addam,

A SPEECH said to be deliver'd by the Person who calls himself Duke of PERTH, at a general Council of War held at Brampton near Carlisle, in Presence of the Pretender's eldest Son.

May it please your Royal Highness,

I Cannot help expressing the Concern I am in, to see so little Unanimity, and so much Heat and Animosity prevail in this Honourable Assembly; but my Concern wants Words sufficient to express it, when I reflect, that there are so many Reasons to complain of our present Situation; that there are so many Circumstances daily occurring to perplex us in our Projects, to weaken our Strength, and discourage us in our Undertaking.

Our Disappointments are so many, that we can number them only by the Days that have elapsed since our first Insurrection; and their Greatness to be measured only by the Danger into which we are now plunged.

Our Hopes, before your Highness's Arrival in *Scotland*, were raised to the highest Pitch; and could only be equalled by the Zeal which Subjects of all Ranks in that Kingdom express'd for his Majesty. We flatter'd ourselves, that your Highness would have appeared back'd by a numerous Ar-

my, well supplied with Arms, Money, and Ammunition; their Number, we were made to believe, would not be less than 10,000 Men, and those of the best Troops of *France*. These were solemnly promised us by Mr. *Kelly*, when with us last Spring; and were told they were ready in the Ports of *France*, with Transports, and a Fleet sufficient to protect their Landing. But when the Time came, how were we disappointed? Your Royal Highness landed in the West, with a Retinue scarce sufficient for a private Gentleman: However, this did not discourage your faithful Clans from joining you; being still flattered that the promised Succours were at Hand, and would certainly arrive before there was any Occasion of coming to an Action.

The Numbers of the faithful Highlanders still increased, till they were strong enough to venture for the East. When I had the Honour of joining your Highness at *Perth*, I was then assured that the *French* were actually embarked, and waited only a fair Wind; and that a considerable Insurrection would presently appear in the North, and several other Parts of *England*. The Places of the several Risings were particularly mention'd, and we were made acquainted with the Names of many considerable Men in *England*, who had undertaken to appear openly in his Majesty's Interest.

We were assured, that his Most Christian Majesty would certainly detain the *English* Forces in *Flanders*; and would hinder the *Dutch* from sending any Troops to *Great Britain*, by openly declaring your Royal Father his Ally. But how have we been disappointed in every Article of these Promises! The long promised Succours are not to this Day embarked; the *Brest* Squadron, which we were made to believe was to conduct the Transports, has long since sail'd; but whither, no Man knows; only we are certain, they could not be designed for this Kingdom, for they have had both Time, and frequent fair Winds, to have brought them long before now.

His Most Christian Majesty has been so far from declaring himself openly in Favour of his Majesty, that his Minister at the *Hague* peremptorily declared to the States, that his Master had no Hand in the *Don Quixote* Expedition, as he was pleased to term your Highness's Undertaking in *Scotland*. The *Dutch* were allowed, without Molestation, to send over 6000 of those very Forces which were made Prisoners by the *French* King's Arms: Troops, which could be of no Use to the *Dutch* in their own Country, by the Capitulation with *France*; Troops, which his Majesty

Majesty of *France* could hinder being made use of against us, by a simple Declaration, that your Royal Father was his Ally; yet this was thought risking too much in Favour of a People who had ventur'd their All upon the Assurances, Promises, and Faith of the *French* King. And what makes this Disappointment sit the heavier upon us, is, that we are sure, if the *Dutch* had not sent these very identical Troops, they would have been much embarrassed to have spared others, to perform their Engagements with the Elector of *Hanover*.

But the Promise of detaining the *English* Forces was as ill performed as the other, tho' that solely depended upon his Most Christian Majesty's General. They had it in their Power to have hindered every Man of them from returning to *England*; and either I am very ill informed, or they might have made most of them Prisoners, had the *French* General been as sanguine at the latter End of the Campaign, as at the Beginning of it. But they were allowed to embark at *Williamstadt*, without Interruption; and are now almost all landed in *England*, without the Loss of a Transport; tho' the Possession of *Ostend* enabled his Most Christian Majesty, had he been so inclined, to have annoyed them much.

As to our Hopes from *England*, they have been as delusive as *French* Promises. When we arrived at *Edinburgh*, and had the Fortune to defeat Sir *John Cope*, our Assurances of a speedy Insurrection in *England* were renewed, and the Days fixed; but these, and many others, have passed by, and not the least Appearance of any such Design; tho', on the Faith of them, we continued unactive at *Edinburgh*. We might have proceeded Southward, while the Panick of *Cope's* Defeat was fresh upon Peoples Minds, and before the Elector's Forces could possibly be got together; but that Opportunity was lost, in Hopes, Sir, that your *English* Friends would declare for you, and supersede the Necessity of your loyal Clans going out of their own Country. But instead of any such Numbers declaring for you, we were entertain'd with nothing but Associations in all Parts of *England*, in Defence of the Elector's Right; and not a Man from that Kingdom either joined us in *Scotland*, or made any Interest to promote an Insurrection in your Favour, in their own Country.

At last, Sir, the Scene was shifted, and new Conditions annexed to old Promises. We were now told, that the *French* Embarkation was delayed until all the *English* Forces were drawn Northward; and that then an Invasion would be made on some

Part of the South, now supposed to be left destitute of Troops to defend them; and that the *English* in the North are now intimidated from rising, by the Vicinity of the Enemy's Troops; but promise faithfully to join us, so soon as our Army sets Foot on *English* Ground. The general Disposition of the People is represented to us, as strongly in our Interest; and we are assur'd, that the Gates of all Towns will almost open of themselves to receive us; and that the People ardently wish to join us.

Notwithstanding the numerous Disappointments we met with from the first Beginning of this Affair, yet we were again persuaded to listen to delusive Promises. We march from *Edinburgh*, enter *England*; but instead of that Disposition to join us, which we were flatter'd with, we find those who cannot oppose us, fly us; and those who have the least Shelter from our Resentment, despise us, and treat us with the utmost Contempt.

We were assured by a Gentleman, upon whose Veracity I always thought I might depend, and who now hears me, that the City of *Carlisle* we have just now passed, would open its Gates to us at our first Appearance; nay, that your Highness would have received the Keys of the City some Miles from the Place. But how we were disappointed, you all know, and with how much Contempt your Highness's Summons was treated.

The Value of the Place I know to be insignificant; nor do I believe the Possession of it would be of any real Service to the main Cause; yet the Repulse we have met with from that poultry Town, has this Influence upon me, to convince me, and I am afraid too late, that we are all made the Tools of *France*; a Nation, whose Faith, like that of *Carthage*, is become a Proverb; and there is as little Dependence on the Promises of *English* Malecontents, whose Zeal for your Royal House these 50 Years past, has manifested itself in nothing else but Womanish Railing, vain Boasting, and noisy Gasconades; their Affection for you is most elevated when in their Cups; and their Sense of Loyalty only conspicuous in the Absence of their Reason: Warm'd with Wine and a Tavern-Fire, they are Champions in your Cause; but when cool, their Courage and Zeal, Sir, for you and yours, evaporate with the Fumes of the Wine.

Thus, Sir, I conclude that we have no Dependence on *English* Assistance; to what Purpose proceed we any farther then? The Elector's Forces are by far superior to ours in Number, daily supplied with Money, Arms,

Arms, Carriages and Ammunition; while we were destitute of all these. Your loyal Highlanders will fight for you with as much Zeal and Courage as Men can boast of; but shall we lead these brave Men to certain Destruction? Were the Enemy's Number but equal to us, or but exceeded us in a small Proportion, I doubt not, but from the Justness of our Cause, and the Courage of our Men, we might hope for Success; but when they are Three to One, and that we must expect to diminish, rather than increase, I should think myself guilty of the grossest Barbarity, should I give my Voice to proceed any farther into *England*, until such of this Nation as have promised to declare for the Cause, actually join us.

I entered, Sir, into this Affair, with as much Cheerfulness as any Man here; I have contributed as much to support it as any; and I think, I may say without Offence, that I have as much to lose by the Event as most Men, and as little to hope. I shall venture my Life with Pleasure to promote his Majesty's Interest; yet, I think I owe something to the Safety of these People, who have followed my Fortune: I think I am bound in Duty to prevent their Ruin, as much as in my Power, which I think inevitable if they proceed farther; therefore I propose that we return to *Carlisle*, and attempt to possess that City; the taking of it may give some Reputation to our Arms, and encourage the *English* to join us, if they have any such Intention; if they have not, we must then make the best Retreat back to the Highlands while we can, there disperse our unhappy Followers, and shift for ourselves in some foreign Country, where there is more Faith than in either *France* or *England*.

Old England, Jan. 11. N^o 142.

OF LEGACY-HUNTERS.

MANY are the Instances of near Relations, nay Brothers, Sisters, and Parents, who have been weak enough to be prevailed on to leave their Estates and Fortunes, to even Strangers, in Prejudice to their own Families. This has been too often the Case, and we have had recent Instances of crafty and designing Persons, very properly call'd *Legacy-Hunters*, who have appeared in various Shapes, and assum'd different Characters, in order to make themselves agreeable to the Temper and Dispositions of the People they were about to impose on.

To make these wicked Purposes go down

the better, they put on the Mask of an extraordinary Zeal for Religion, Virtue, and Oeconomy; to which they subjoin the particular Knack of *Tale-bearing*, and silyly misrepresenting every Action of those who, by the Laws of God and Man, ought to have succeeded to the Estates of their Relations. When they have compassed their Designs, these *Legacy Hunters* have concluded with acting two other Parts: The first in shewing, after their Patrons have been laid in their Graves, great Disregard to their Memories; and the other in slighting and shunning the Company of their surviving Relations; and at last have carried it so far as to order their Servants to deny them Entrance at their Gates. Truths which nobody can deny.

Every honest and generous Mind will detest, as wicked and infamous, Persons who have acquired their Estates and Fortunes by such indirect and wicked Practices: I say, honest and generous Minds will sooner beg their Bread from Door to Door (to use a worthy Alderman's * Expression in the Senate upon a memorable Occasion) than thus acquire Estates: For they hold such detestable Proceedings in as much Abhorrence as the penetrating *Genius* of our Age did Fame, and the Favour of the Great, when it was only to be acquired by flattering lawless Sway, and upon the Ruin of another's good Name. These are his golden Words:

Ob! if the Muse must flatter lawless sway,
And follow still where fortune leads the way;
Or, if no basis bear my rising name,
But the fall'n ruins of another's fame;
Then teach me, heav'n, to scorn the guilty
bays! [praise:
Drive from my breast that wretched lust of
Unblemish'd let me live, or die unknown,
Ob! grant an honest fame, or grant me none.

On the other hand, nothing can give a greater Delight and Satisfaction to an honest Person, than to hear that some of these *Legacy-hunting* Gentry have met with Disappointments at the very Times they have thought themselves secure of their Prey.

I was led to these Reflections from a Country Gentleman's relating to me the following very particular and extraordinary Account of a Disappointment that one of them had lately met with, not far from *London*.

Some few Months since there lived in my Neighbourhood a Gentleman (whom I shall call *Augustus*) possessed of a very considerable real and personal Estate; and, tho' he had a Seat in the Senate, he kept very little Company, nor did he correspond much

* Sir John Barnard.

much with his Relations, but in general managed all his Affairs with the greatest Frugality; which being known to one of the above Tribe, named *Vorago*, he thought a Gentleman so disposed very proper to try Experiments upon; and, for that End, he began acting his Part in forming his Temper and Disposition, so as to make it in every Respect suitable to *Augustus's*; and soon after he found Means to introduce himself into his Acquaintance, and, finding that he received and treated him kindly, he several Times expressed to *Augustus* how much he was obliged to him for it; and at such Times he pretended, since he had very little Business, and had a comfortable Subsistence, that he thought himself happy in enjoying the Company and Friendship of a Gentleman, who was so much in his own Way of thinking, and who, he found by Experience, was like himself in abhorring all Extravagancies in private and publick Life, insinuating likewise, that he should be very ready, if it should ever happen to be in his Power, to do him any friendly Offices, without any Expectation of Gain.

This Way of talking was highly pleasing to *Augustus*, and, as he was unmarried, he thought proper to take *Vorago* into his House, and to make him his Companion: Where he had not been long before his engaging Behaviour, and slyly acting whatever he thought would be agreeable to *Augustus*, gave *Vorago* still greater Credit with him: So that by Degrees he gained almost an absolute Ascendant over him, and *Augustus* was so prepossessed in his Favour, that he thought nothing well done except *Vorago* had a Hand in it. In short, he was so altered, that he slighted those who before were not only esteem'd but well-treated by him.

Augustus's Change of Behaviour to his Friends was presently taken Notice of, and because thereof he had few or no Visitors.

This was what *Vorago* wanted, and now thinking himself to be in a very good Situation, he next proceeded to take upon himself a Command in the House, and to assume a Sort of masterly Authority over the Servants, and sometimes even treated them with haughty Language; and in Proportion as he shewed his Insolence below Stairs, he grew more and more fawning above.

In Process of Time, *Augustus* was taken very ill, which confined him to his Chamber at his Country Seat; where he was shortly after, by a Mortification in his Toe, rendered unable to attend either the publick or his own private Affairs. This Accident gave *Vorago* still greater Authority in *Augustus's* Family, and he was entrusted to

receive large Sums of Money for him, which served more and more to feed *Vorago's* Pride: So that the Servants could do nothing to please him, and he, upon every slight Offence, threatned to turn them off, which encreased their Uneasiness.

Above Stairs he acted quite otherwise; for there he would be often setting before *Augustus* the Ingratitude of several Relations to their rich Friends; and every now and then he would be repeating the Examples of divers Gentlemen of great Worth, who had made it their Election to leave the Bulk of their Estates to their intimate Companions, rather than to their inferior Relations, who might, thro' Ignorance or Extravagancy, be induced to squander away those fine Estates, which ought to be kept together, in order to perpetuate the Memory of their once eminent Possessors. Upon other Occasions, he preached up the great Care he should take, should he ever be thought worthy to inherit an Estate of any such Gentleman's, to properly distribute to those of his Patron's Relations as should afterwards appear to be deserving, such Part of his Effects as might make their Lives comfortable, without laying before them any Temptations to Excess. These Matters *Vorago* often repeated, and at last he was got so bold as to press *Augustus* to make a Will in his Favour; and, as he found *Augustus's* Illness increase, he plied him more ardently on that Head.

Augustus, for a considerable Time, seemed passive, making little more Reply than, *It is true, there are Instances of Gentlemen leaving their Estates from their Relations; but as to my Part, I cannot think as yet that to be quite so right; and at last told him, in a few Words, finding he still persisted in harping upon the same String, That he had a Kinsman who he intended should be his Heir, and hoped he would be worthy to enjoy what he should leave behind him; and named him (whom we shall call Honestus)*

I knew him very well, replied Vorago, but he has been dead some Time. On this, Augustus expressed his Surprise, in as much as he had heard nothing of it, and wish'd he would make strict Enquiry, whether it was true: That I need not do, says Vorago, because I am very positive of it.

But it so unluckily fell out for *Vorago*, tho' happily for *Honestus*, that on the very Day that this Conference pass'd between *Augustus* and *Vorago*, *Honestus* went to enquire after his Relation's Health in Town, and hearing that he was dangerously ill at his Country Seat, he immediately took a Chariot and four Horses, in order to pay him a Visit, and reached there before the Evening.

Upon

Upon his Arrival, the Servants were overjoy'd to see him, and soon acquainted him of the bad State of Health *Augustus* was in, and likewise what Sort of a Companion he had to attend him. *Honestus*, upon receiving this Information, without further Ceremony, waited upon *Augustus*, who express'd the utmost Joy, his weak Condition would admit of, on seeing his Kinsman *Honestus* alive, but which threw *Vorago* into the greatest Confusion; yet he put the best Face he could upon what he had before confidently affirmed, by saying, he had been misinform'd.

But *Honestus* was too prudent to enter into any Disputes with *Vorago*, out of the Regard he had to his unhappy sick Relation; yet he thought it by no Means proper to leave *Augustus* in such dangerous Hands; therefore took the Resolution to continue with him, in order to see the Event of this Illness, which ended in his Death, about six Weeks after *Honestus*'s Coming; and, having made no Will, the Estate devolved to *Honestus*, his right Heir, to the great Joy of all honest Men.

However, tho' *Honestus* had just Reason to have instantly turned *Vorago* out of his House, as a Part of the Punishment he deserved for his intended perfidious Designs, yet such was *Honestus*'s Moderation, that he permitted him to stay whilst his Kinsman was interred; and the other so brazened it out, that he had the Impudence to continue there until he received a Message to be gone; which was the next Day. The Servants, as well as some of the Neighbours, saw him, who, but a few Weeks before, tyranniz'd in the House, turn'd out of it with the greatest Contempt; and nothing restrain'd them from further expressing their high Satisfaction at what had befallen him, but the Consideration that *Augustus* was buried the Day before.

The Country Gentleman concluded this most agreeable Account with saying, That *Honestus* had taken Possession of his Estate, and was elected into the Seat vacant in the Senate: Summing up his Character in a few Words, That *Honestus*'s chief Study was that of the Service of his Country, and to do good to his Friends and Neighbours. So that it may be truly said, *Honestus* has, what Mr. Pope affirmed on another Occasion,

*The Sense to value Riches, with the Art
To enjoy them, and the Virtue to impart.*

Again,

*Who copies yours, or H—s better Part,
To ease the oppress'd, or raise the sinking heart;*

* Or rather, *Honesty.*

*Where'er he shines, Ob! fortune gild the scene,
And angels guard him in the golden mean.
Then English bounty, yet a-while may stand,
And honour * linger, e'er it leaves the land.*

I am, Sir,

Richmond, Surry, Your most humble Servant,
New-Year's-Day,
1746. G. J.

From the London Gazette, Jan. 4.

The following LETTER has been received at the Admiralty from Commodore KNOWLES, who was sent to enquire into the true State of the Preparations making in France to invade England.

SINCE my last I have been over to *Boulogne* and *Calais*, and had as distinct Views of what is in those Places as it is possible, unless I had been ashore in Person. At *Boulogne*, I stood within half a Mile of the Pier-Heads, that even a Privateer Sloop's Shot went over me: The Battery from the Pier-Head (which consists but of five Guns) fired many Shot, but none did Execution. It was not possible to count the Vessels as they lay, not knowing how to distinguish those of two Masts, or those of one; but, upon the whole, I am of Opinion, there is not sixty Vessels of all Kinds in the Harbour, (and my Brother Captains do not think there are so many :) The largest of these was a Galliot-Hoy, whose very Gaff was much higher than any of the other Vessels Mast-Heads; and there was not one single one which had a Top-sail-yard rigg'd aloft.

This Morning about Eight o'Clock, I was within two Miles of *Calais Town*, and saw three or four small Top-sail Vessels in the Pier, the rest were all Galliot and Fishing-Boats, and did not exceed 30 in Number.

By Capt. Gregory's Account of the same Date, who was sent to take a View of the Preparations at *Dunkirk*, it appears there are but five or six Vessels in the Road, and a very few in the Harbour.

Admiralty Office, Jan. 4, 1745. Capt. Webb, Commander of his Majesty's Sloop the *Jamaica*, on the 27th inst, in the Latitude of 41. 22. and Longitude 1 Degree West of the *Lizard*, in Company with his Majesty's Ship the *Amazon*, took a French Privateer belonging to *Granville*, of six Twelve-Pounders, four Six-Pounders, six Swivel Guns, and 105 Men, of whom 18 are Spaniards, and has brought her into *Mount's-Bay*.

The

1.



2



3



4



5



6



1 Take Care. 2 Join your Right-Hand to your Firelock. 3 Poise your Firelock.
4 Join your Left-Hand to your Firelock. 5 Cock your Firelock. 6 Present. Fire.

7



8



9



10



11



12



7. Recover your Arms. See Fig. 12. Halfcock your Firelock. 8. Handle your
Primer. 9. Prime, the first Motion. 10. Prime, the last Motion. 11. Shut your
Pans. 12. Cast about to charge, the first Motion. E 2

36 Rebel Officers and Soldiers taken at CARLISLE.

Whitehall, Jan. 7.

The following is an Account of the Rebel Officers and Soldiers, together with their Artillery, taken by his Royal Highness the Duke of Cumberland at Carlisle. (See p. 626.)

List of English Rebel Officers, in Manchester Regiment, taken at Carlisle.

Colonel, **F** FRANCIS Townley, of Lancashire

Captains, John Sunderland, of Northumberland, Peter Moss, of Lancashire, James Dawson, of ditto, George Fletcher, of ditto, Andrew Blood, of Yorkshire.

Lieutenants, Thomas Deacon, of Lancashire, John Berwick, of ditto, Robert Deacon, of ditto, John Holker, of ditto, Tho. Chadwick, of Staffordshire, Thomas Furnival, of Cheshire.

Ensigns, Charles Deacon, of Lancashire, Charles Gaylor, of ditto, John Hurter, of Northumberland, James Wilding, of Lancashire, John Batts, of ditto, William Bradshaw, of ditto, Samuel Maddock, of Cheshire.

Adjutant, Thomas Syddell, of Lancashire.

And 93 Non-Commission Rebel Officers, Drummers, and Private Men.

James Capper, of Lancashire, made by the Pretender Bishop of Carlisle.

List of the Scotch Rebel Officers, taken at Carlisle.

John Hamilton, of Aberdeenshire, late Governor.

Captains, Robert Forbes, of ditto, in Lord Lewis Gordon's Regiment. John Burnett, of ditto, in Col. Grant's. George Abernethy, of Bamffshire, in Lord Ogilvie's. Alexander Abernethy, of ditto, in the Duke of Perth's. Donald M^r Donald, of Invernesshire, in Capock's. John Comerie, of the Braes of Athol, in the Duke of Athol's.

Lieutenants, Charles Gordon, of Aberdeenshire, in Lord Ogilvie's. James Gordon, of ditto, in Col. Grant's. Walter Ogilvie, of Bamffshire, in Lord Lewis Gordon's. William Stewart, of ditto, in Col. Roye Stewart's. Alexander M^r Grouther, of Perthshire, in the Duke of Perth's. Alexander M^r Grouther, of ditto, in ditto.

Ensigns, Walter Mitchell, of Aberdeenshire, in ditto. George Ramsay, of ditto, in ditto. James Menzie, of St. Germain's in France, in Col. Roye Stewart's.

James Stratton, of Berwickshire, Surgeon to the Garison.

James Nicholson, Lieutenant in the Duke of Perth's; who broke the Capitulation, by endeavouring to make his Escape.

And 256 Non-Commission Rebel Officers, Drummers, and private Men.

List of those styling themselves French Officers, taken at Carlisle.

Sir Francis Geogean, of Thoulouse in France, Captain in Lally's Regiment.

Strickland, Colonel, but in no Regiment. Sir John Arbutnot, Captain in Lord John Drummond's Regiment.

And one Serjeant, and four private Men, who call themselves French.

The Cannon taken in Carlisle consisted of 6 Brass One-and-Half Pounders, with Carriages; One Brass Octagon, with a Carriage; 3 Brass Four Pounders, with Carriages; 4 Brass Cohorns; and 2 Royals.

MOTIONS of the REBELS in Scotland, and of the KING'S FORCES in order to oppose them, as publish'd by Authority. Continued from our Magazine for December, p. 625.

From the London Gazette, Jan. 4.

Inverness, **U**PON the News of the March Dec. 22. of the Rebels into England, and some pretended Successes gained by them, the Frazers, headed by Lord Lovat's Son, form'd a Sort of Blockade of Fort Augustus, whilst Lord Lewis Gordon in Bamff and Aberdeenshire, was raising Men and levying Money, by Force and Threats of the most severe Military Execution: The Money expected from the Town and Shire of Aberdeen amounted to near 13,000l. Sterling: Thereupon the Earl of Loudoun, with 600 of the well-affected Clans, march'd in a very severe Frost thro' Stratberrick, Part of Lord Lovat's Estate, on the South Side of Lochness, to the Relief of Fort Augustus. He met with no Opposition, supplied the Place with what was wanting, and return'd hither on the 8th, after letting the Inhabitants of Stratberrick know what they were to expect if they joined the Rebels. This Detachment, after one Day's Rest, was order'd to march to relieve Bamff and Aberdeenshire: For this End the two Companies of Mackenzies, who had been posted near Braban, were call'd into this Place on Monday the 9th, and on Tuesday the 10th the Lord Loudoun, with 800 Men, march'd out to Lord Lovat's House of Castle Dounie, to obtain the best Security he could for the peaceable Behaviour of the Frazers; and at the same Time the Laird of Macleod was detach'd with 500 Men, (400 whereof were of his own Kindred) towards Elgin, in their Way to Bamff and Aberdeenshire, to prevent the Rebels recruiting there; and they were to be follow'd by Lord Loudoun, and as many Men as could be spared from hence. Lord Loudoun prevail'd with Lord Lovat on Wednesday the 11th, to come into Inverness along with him, and to live there under his Eye until he should bring in all the Arms which the Clan was possess'd of, which he promised to do against Saturday Night following, and highly condemn'd the Beha-

Behaviour of his Son. Whilst Lord Loudoun waited for the Delivery of their Arms, 200 Men under Captain *Monro* of *Calcairn*, were detach'd by his Lordship to follow *Macleod* to *Elgin* and *Aberdeenshire*. Lord *Lowat*, after delaying to fulfil his Promise from Time to Time, at last found Means to get out of the House where he was lodg'd, at a back Passage, and made his Escape. In the mean Time *Macleod* march'd forwards to *Elgin*, and from thence hearing that 200 Rebels had taken Possession of the Boats of *Spay* at *Fochabers*, and pretended to dispute the Passage with him, he advanc'd on Sunday the 15th to the Banks of that River, which the Rebels on his Approach quitted, leaving him a quiet Passage. From thence he advanc'd on the 16th and 17th to *Cullen* and *Bamff*, whilst Capt. *Monro* with his 200 Men, on the 17th and 18th, advanc'd by *Keith* to *Strathbogie*, and the Rebels, who were in Possession of those Places, retir'd towards *Aberdeen*. Mr. *Grant* of *Grant* join'd Capt. *Monro* with 500 of his Clan, and march'd with him to *Strathbogie*. On the 19th it was resolv'd by Mr. *Macleod* and Capt. *Monro* to march the next Morning, the first from *Bamff* to *Old Meldrum*, 12 Miles off *Aberdeen*, and the last from *Strathbogie* to *Inverurie*, which is at the like Distance. The Rebels had drawn together a considerable Body at *Aberdeen*, and were in Expectation of a Reinforcement from *Perth* and *Dundee*. We expect a Reinforcement here soon of two Companies of *Macdonalds*, from the *Isle of Sky*; another Company of *Mackenzies*; another Company of *Mackays*, and a Company of *Resses*, each of which Companies will consist of 100 Men. The Rebels at *Perth* have not had any Accession of Strength from this Country, save from the *Frazers* before-mention'd, who amount to between 2 and 300, and some *Macdonalds* of *Clanronald's* People from *Moidart*, who march'd thro' *Atbol* six Days ago, escorting a considerable Quantity of Spanish Money that was lately landed in the Island of *Burray*. The Person styling himself Lord *John Drummond*, has publish'd a Declaration as Commander in Chief of the French Forces in Scotland, and declares that the French King will support the Pretender to the utmost, threatening Destruction to all who shall not assist him. The Rebels at *Perth*, by the Direction of some French Engineers, are forcing in all the Country People to sing up Intrenchments; to repair in some Sort *Oliver's Fort*, and to fetch in the Water of *Almond*.

Stirling, Dec. 23. Eight hundred Highlanders from *Perth* are in this Neighbourhood, being quarter'd at *Down*, *Dumblain*,

and *Bridge of Allan*. Four or five hundred more of the Highlanders have march'd to *Dundee* and *Montrose*, where there are 3 or 400 Rebels under the Command of Sir *James Kinloch*, and one *Ferrier*. Some imagine, their Design of going to these Places is to cover a new Landing expected there; and others, that it is to guard the Hazard Sloop, and other Ships at *Montrose*. There remain very few Highlanders at *Perth*, and about 400 Frenchmen. *Innercauld's* Men did not rise at first, but a Party came lately into *Mar*, and began to burn two or three Corn-Yards; upon which 300 of them march'd to *Aberdeen*, and join'd Lord *Lewis Gordon*, who is now upon his March to *Perth* with a Body of 800.

From the London Gazette, Jan. 7.
Edinburgh, Jan. 2. The Number of the Rebels arriv'd at *Glasgow*, by a Medium of several Computations, is about 3600 Foot, and near 500 Horse, including 50 or 60 employ'd in carrying their Sick. Their Horses are poor and jaded, and 6 or 700 of their Foot have no Arms, or Ability to use them. Some Hundreds of their Friends have passed the *Forth* in their Way to *Glasgow*; and on Saturday last the Person call'd Duke of *Perth*, with a Party of about 150, went from *Glasgow*, and it is reported he is got home. Small Parties are continually passing that Way, whether deserting or marching to *Perth* is not known. However it is certain that they have lost several by Desertion and Death since they arriv'd at *Glasgow*, where they have also insisted about 50 or 60, who took on with them for Want of Bread. Their Demands upon *Glasgow* for Broad-Cloth, Tartan, Linen, Bonnets, and Shoes, amount to near 10,000l. Sterling in Value, besides which, they say they must have a Sum of Money. They have assailed Provost *Buchanan* in 500l. for promoting the new Levies on the Behalf of the Government, and have been very outrageous against all those who appeared zealous and active in raising them, by plundering and burning their Houses, destroying their Goods and Furniture, and (where they could not carry off their Provisions) by spoiling them in a most unheard-of Manner, which, so far from having the Effect they propos'd, has greatly increased the Spirit against them. They give out that they are to attack *Stirling*, and on Monday Noon the Cannon from *Perth* was mov'd towards that Place, amongst which are two Pieces of 8 Pounds, two of 12, two of 16, all Brass, besides Iron Cannon, and a large Quantity of Powder and Ball; the Rebels from *Perth* march'd therewith. The Prisoners who were

were at *Perth* are sent to *Glames*. There are Advices here, that the Rebels had got some of their Military Stores, particularly Iron Cannon, and Ball, from *Montrose* by Sea to *Perth*, and that they had fitted out the *Hazard* Sloop, and a Privateer at *Montrose*, which were ready to put to Sea, and that they were also fitting out an arm'd Sloop at *Perth*. At this last they have fortified *Oliver Mount*, and have from 100 to 200 Country People daily employ'd in fortifying the whole Town. As soon as we heard that the first Division of the Troops sent to this Place from *Marshal Wade's* Army had pass'd *Newcastle*, we began to repair the Fortifications of this City, and gave Notice to the People in the Country, upon whom we could depend, to be in Readiness to come hither for the Defence of the City. The Friends to the Rebels in these Parts sent Express after Express to them to *Glasgow*, to hasten their March hither, and on *Monday* Night we had Intelligence that they had call'd in their Cloathing half made, and pack'd it up, which we took for a Signal of their March. Thereupon the Militia was call'd into the City, and more came than we could quarter. Horses were order'd out to meet the first Division of Troops, and Relays were ready for them upon the Road, which the Country People contributed with great Chearfulness; and this Morning two Regiments of the first Division arriv'd here mounted on the Horses before-mention'd from *Dunbar*, and were receiv'd with Huzzas, Illuminations, &c. The Soldiers are all hearty, They were entertain'd at *Dunbar*, and Half-way Place at *Aberlady*, at the Expence of the City; so that now we think ourselves quite safe from the Rebels. The *Glasgow* Regiment is here, and makes a very fine Appearance. It consists of upwards of 500, all young able-bodied Men, who perform their Exercise very well, and do Duty with the Regular Troops, besides 160 Volunteers from *Paisly*. They shew'd a great Spirit in marching hither, when it appear'd impracticable to defend *Glasgow*. There certainly has been a Skirmish between the Rebels near *Aberdeen*, and a Part of Lord *Loudoun's* Men commanded by the Lairds of *Mackled* and *Calcairn*; it is said to have ended to the Disadvantage of the latter, who were inferior in Numbers. There are however as yet no Accounts of that Affair, but what the Rebels give; the most sanguine of whom say, it was a total Rout; others, that about 20 on each Side were kill'd, and about 60 of our Men taken Prisoners. The *Argyllshire* Men are now ready to co-operate with our Troops.

Admiral *Byng*, who is now in *Leith* Road, is preparing to go out again to Sea;

the *Milford* and *Bridgewater*, who were left cruizing off *Montrose*, will, it is hoped, be able to prevent the Rebels from receiving any Supply at *Perth*, and sending out any Ships to Sea; and in two or three Days Admiral *Byng* will have another 40 Gun Ship, and two of 20, cruizing upon that Coast; and this Morning the *Shark* will go out to cruize off *Red-Head*, *Arbroth*, and the *River Tay*.

Newcastle, Jan. 4. The first Division of the ten Battalions, which march'd from hence for *Edinburgh*, arriv'd there the 1st Instant. The second, it is supposed, will be there either this Day or To-morrow; The third by the 9th, and Lord *Cobham's* Regiment of Dragoons will arrive there the Day after. The Regiments of *Scotch* Fusiliers and *Sempil* will be here the 6th; which, after resting one Day, will proceed to *Edinburgh* to join General *Hawley's* Body, which will then consist of 3 Regiments of Dragoons, and 14 Battalions, besides the Country Forces. A great Number of the Rebels are said to have deserted, and return'd to their Habitations.

From the London Gazette Extraordinary, Jan. 9.

Edinburgh, Jan. 5. On Friday two Regiments of Foot, with the Help of the Country Horses, came from *Berwick* to this Place in two Days; and as Care was taken to entertain them well at *Dunbar*, and other Places, they came hither in Health and Spirits. Major General *Huske* arrived here Yesterday.

The Rebels marched on Friday Morning from *Glasgow*; their main Body lay that Night at *Killyth*, and the Pretender's Son lay at Mr. *Campbell's* of *Schawfield* near *Killyth*. They ordered his Steward to provide every Thing, and promised Payment; but next Morning told him, that the Bill should be allowed to his Master at accounting for the Rents of *Killyth*, being a forfeited Estate.

On Saturday the Rebels marched towards *Stirling*; their Army was canton'd at *Denny*, *Bannockbourn*, and *St. Nimans*. They detached a strong Party of their best Men to *Falkland* for a Rear-Guard. The Pretender's Son took up his Quarters at *Bannockbourn*, the House of *Sir Hugh Paterfon*, Lord *George Murray*, and the Person called Lord *John Drummond*, were at *Allowa* Yesterday, concerting how to bring over the Cannon brought from *Perth* by Floats, and afterwards surveyed the Passage at *Cambus*, to see if it could be done more conveniently there, and then went to *Dumblain*, leaving a Party of 100 Men at *Allowa*. Major-General *Huske* is preparing every Thing against

ainst Lieutenant-General Hawley's Arrival, who is expected here To-morrow.

From the Supplement to the Gazette of Jan. 14, published the next Day.

Inverness, Dec. 30. Our Force at present is about 1700 Highlanders, and three Companies more of 100 each are expected. Of the Troops assembled, 7 Companies are between this and *Spay*, the rest are at *Inverness*.

Dumbarton, Jan. 8. Lieutenant-Colonel John Campbell arrived here last Night to take the Command of 700 Men, who are quartered here, consisting of 3 Companies of Lord Loudoun's Regiment, 1 of Lord John Murray's, and 8 of Argyllshire Militia.

Edinburgh, Jan. 9. This Day at Noon we had an Account, that the Rebels got into the Town of *Stirling* Yesterday at Four, the Inhabitants opening the Gates, as the Town was not defensible. The Militia Officers, with all the Arms, went into the Castle. Their Men, by small Parcels, all made their Escape. We are assured, that Major-General Blakeney is very well provided with Men and Provisions. The Rebels have but two Cannons of twelve Pounders, which, with great Labour, they brought round by the *Frew*; one Eighteen Pounder, which they have been unsuccessfully trying to pass over at *Allova* on Floats, is still there. Yesterday General Hawley sent up some Boats armed, and a small Vessel with Cannon, mann'd with 300 Men, under the Command of Col. Leighton, to destroy all their Machines: There is as yet no Report from him.

Edinburgh, Jan. 10. Barrell's and Puketney's Regiments came in here this Day; so that we have now 12 Battalions. Sempil's and Campbell's are upon the Road; and Cobham's Dragoons are to be this Day at *Dunfermline*. Dispositions are making to march the Day after To-morrow towards the Rebels with 3 or 4000 Men, which are to take Post at *Linlithgow*, *Barrowfossan*, and *Queen's-Ferry*, and will be able, as it is hoped, to drive away Lord Kilmarnock from *Falkirk*. As soon as the Train of Artillery is ready, it is proposed to march to *Stirling*.

Edinburgh, Jan. 10. By Express from *Stirling* there is Advice, that immediately after the Rebels entered the Town, they sent off 3 Pieces of Cannon, 4 Pounders, to the Hill of *Airth*, to prevent his Majesty's Ships getting farther up the River, and to cover the Passage of their heavy Cannon, now lying near *Allova*. All Yesterday two Men of War continued firing upon them whilst they were mounting their

Cannon, and beat them off from that Place, so that last Night the Rebels were obliged to remove their Cannon about a Mile farther up this Side the River, and proposed to mount them this Day. Yesterday the Pretender's Son review'd the Troops at *Falkirk*, which amounted to the Number of 1685 Men, and returned immediately afterwards to *Stirling*.

Since the above Account, we have received the following Advices, viz. That two Skiffs that lay a-ground at *Airth*, had been burnt by the Vessels sent from hence, notwithstanding a Battery of Cannon which the Rebels had erected there: Some of their Men were killed and wounded before they marched off with their Cannon, which they fired frequently, but did no Damage. On Thursday they were erecting a Battery with those Cannon at *Elphinstone*, which our Vessels designed to attack, and to proceed, if possible, to *Allova*. It is apprehended, that they have got six Cannon there, and above 300 Men, and about 200 at *Elphinstone*.

From the London Gazette, Jan. 13.

Inverness, Dec. 29. The March of Mr. Macleod, with the Detachment of 700 Men, forced the Rebels to retire to *Aberdeen*, and to send for a Reinforcement from *Montrose*, *Dundee*, &c. They marched out of *Aberdeen* on the 23d, with about 1200 Men, so secretly, that they came up with Mr. Macleod at *Inveraurie*, where he lay with about 300 of his Men (the rest being cantoned in the Neighbourhood, at the Distance of a Mile or two) at 4 o'Clock in the Evening, without being discovered, till they were ready to begin the Attack. Mr. Macleod, however, and Capt. Monro of *Cullain*, got the Handful of Men they had in the Village immediately together, and notwithstanding the Surprise, and the great Inequality of Numbers, maintained their Ground for about 20 Minutes, until they had fired away the greatest Part of their Shot, and then made their Retreat in so good Order, that the Enemy did not think fit to pursue them one Yard. The Rebels do not pretend that we lost in this Scuffle any more than 7 Men killed, and 15 so wounded, that they could not be brought off. Their own Loss they took Care to conceal, by burying their Dead in the Night-time; but all the Reports from that Country agree, that it was much more considerable than ours. (See p. 38.) We have been obliged to retire to this Side the *Spay*, to prevent Surprizes of the like Nature, until we are reinforced. This Affair has however retarded the Rebels recruiting, and has forced them to detach from the South, which weakens them there.

Edin-

Edinburgh, Jan. 11. Yesterday Morning about 3 or 400 of the Rebels went off in great Hurry from *Falkirk* towards *Airth*, to assist their Party there, in mounting their Cannon to cover their Passage over the River. It is said that the Rebels have demanded 600*l.* Sterling Contribution from the Inhabitants of *Falkirk*.

Captain *Faulkner*, in the *Vulture* Sloop, being arriv'd at *Inverkeithen* Road, sent the Cutter and Boats before, who, upon their Arrival in *Kincairdin* Road, saw a Brig come out of *Airth*, which the Rebels had seized in order to transport their Cannon from *Allowa* up the *Firth*, to batter *Stirling* Castle. The next Morning Capt. *Faulkner* arrived in the Road likewise, and upon the Lieutenant of the *Pearle's* informing him of this, and of there being two more Vessels in *Airth* that were liable to be seized by the Rebels for the same Purpose, he sent the Boats mann'd and arm'd to burn them, which they effectually perform'd without the Loss of a Man, tho' the Rebels fired some Platoons from the Town. While this was doing, the Tide fell so low that he could not return to the Road that Night, upon which the Rebels in *Airth* open'd a Battery of three Pieces of Cannon, and in the Morning began to play upon him very unexpectedly, but did him no Damage. The Fire from the Sloop dismounted two of their Cannon, killed their principal Engineer, as they heard by a Man of the Town, with some others, and drove the Rebels all out of the Town, and from their Battery; after which they drew off their Cannon to *Elphinstone*, and at the same Time got one more from the Body of their Army at *Falkirk*, and erected with them a Four-Gun Battery on the Point of *Elphinstone*, in order to guard the Pass.

Col. *Leighen* came to the Assistance of the Ships the 9th with 300 Men, and it was agreed to attack the Brig at *Allowa*, which had on Board the Rebels Cannon; and for that Purpose to send fifty of his Men in a large Boat, with the Ship's Boat mann'd and arm'd, to lie all Night a Mile above *Allowa*, to prevent the said Brig's going up the *Firth* that Night, and Capt. *Faulkner* and Col. *Leighen* resolv'd to go up in the Morning Tide, to attack the Town, and take the Brig from under the Guns of *Allowa*, all which might have been executed, but the Boats, just after they had passed the Town, unluckily grounded, which discovered the whole; upon which the Rebels beat to Arms, and fired from Right to Left very near half a Mile, and oblig'd the Boats to retreat, with the Loss of one Man, and another's Leg shot off, but it prevented the Brig's going up that Tide;

however, the Brig took the Opportunity of the next Tide to sail up the *Firth*. According to Accounts since receiv'd, she had only two large Pieces of Cannon on board with Ammunition. There remains at *Allowa* five Pieces more, three of which are mounted on the Key.

A

From the London Gazette, Jan. 21.

Perth, Jan. 11. Upon the 8th Orders were sent hither for the Troops here and hereabouts to be ready to march towards *Stirling*. This Morning the *Macdonalds*, under *Barisdale* and *Moidart's* Brother, went off towards that Place, as did the *Frazers* under the Master of *Loval* in the Afternoon. The *M'Intoshes* and *Farquharsons* march Tomorrow. There are only 200 *Gordons* here at present, but between 4 and 500 more are expected in a Day or two, together with the 400 *French* that landed some Time ago. *Kinloch's* Men are in Number about 300, and it is thought will be left here. This Week came hither from *Dundee* two small Sloops, with Powder, Ball, Pick-axes, Shovels, Biscuit, Wine and Spirits, 15 Swivel-Guns, and 500 Firelocks brought from *France*, for a Regiment to be levied here for Major *Nairn*.

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Edinburgh, Jan. 14. By Advices from *Stirling*, the Rebels had got all their Cannon over the *Forth*, and upon the 12th had broken Ground between the Church of *Stirling*, and a large House call'd *Mar's* Work, for erecting a Battery there against the Castle. For this Purpose five large Pieces of Cannon were ready in the Meal Market, and three small ones were expected from *Airth*. They have sent several Expresses to their Troops in *Perthshire* to hasten their March towards *Stirling*, where they shut up the Ports, and placed Guards at all the Outlets of the Town, to prevent the People from coming in for, or going out with Intelligence to the King's Troops; and the Body at and about *Falkirk* had Orders to march upon the 13th towards *Linlithgow* with all the Waggon and Carts they could get together, for carrying off all the Provisions they could meet with. Accordingly they marched Yesterday Morning, to the Number of 1100 Men, under the Command of Lord *George Murray*, and Lord *Elcho*; but scarcely were they arrived at *Linlithgow*, when Major-General *Huske*, who had marched the same Morning with five Old Regiments, together with the *Glasgow* Regiment under Lord *Hume*, and the Remains of the two Regiments of Dragoons of *Hamilton* and *Gardner*, appear'd near the same Place. Upon his Approach the Rebels retired towards *Falkirk*, without having been able to pick up any Thing, and with

so much Precipitation that he could not come up with them, whereupon he took Post at *Linlithgow*. This Morning three Regiments more marched to *Barronslouness*, to be at Hand to support him; and Lieutenant General *Hawley* will follow with the Artillery to the Relief of *Stirling* as soon as possible. *Cobham's* Dragoons are expected here this Day, and will march upon the 16th to join General *Huske*. Letters from Major General *Campbell* dated at *Inverary* mention; that he has 1000 Men in Arms thereabouts guarding the Passes, besides the Corps under his Son; which is now increased to 1000, and which was to be at *Kilfrish* last Night in its March to join General *Huske*. The Number of the Rebels on this Side the *Forth* cannot exceed 6000, supposing they have by this Time been joined by the greatest Part of the Force from *Perthshire*, and that they have lost no Men by Desertion, whereas it is assured that they have lost a great many. They have about 1000 more which are cantoned in the North, including about 400 *French*, who, since their Return from *Aberdeen*, remain at *Monroese* to guard the *Hazard Sloop* and their Magazines. The Expedition up the *Firth* delayed the Measures of the Rebels for attacking *Stirling Castle*, for by our latest Intelligence, tho' they had made several Attempts to raise the Battery, they had not got one Cannon mounted. The Battery which the Rebels had erected at *Elphinstone*, was very briskly attacked by the *Pearl* and *Vulture* Sloops within Musket Shot, and three of their Cannon dismounted; but one of the Sloops having had her Cable cut asunder by one of their Cannon-shot, she was, by the Strength of the Ebb-Tide, forced from her Station, and the two Pilots in the other having each lost a Leg, they were oblig'd to quit the Battery, and give up the Enterprize. In this whole Affair only two Sailors were kill'd, and 10 or 12 wounded; but the Land Forces under Col. *Leighton* received no Damage.

Edinburgh, Jan. 16. Within these three Days past, 12 Regiments of Foot, and two of Dragoons, have marched from hence to *Linlithgow*. The Artillery followed Yesterday, as did this Day Lieutenant General *Hawley* with Lord *Cobham's* Dragoons. The Party of the Rebels which had retired to *Falkirk* from *Linlithgow*, upon Major Gen. *Huske's* Arrival at the last Place upon the 13th, retired on the 14th from *Falkirk* towards *Stirling*, to their main Body. There is Advice, that the Rebels have got most of their Friends to the South Side of the *Forth*, and are endeavouring to spirit up their Men to an Action. Lieutenant Col. *Campbell* was last Night at *Kilfrish*, with the

Van of the *Argyllshire* Men, waiting the General's Orders. Major General *Huske* was to be this Night at *Falkirk*, with 8 Regiments. The *Scots Fuzileers* lie this Night at *Dunbar*, as does Lord *Sempil's* Regiment at *Haddington*. The last is to be here Tomorrow, and the first two Days after.

Linlithgow, Jan. 15. By Advices from *Stirling* of Yesterday, the Rebels had got together two Pieces of Cannon 16 Pounders, two of 8, and three 3 Pounders, and were expecting 4 Pieces more by Water for their Battery in that Town: They had also a great Number of Fascines, but had not been able to plant their Cannon, Major General *Blakeney* having fired several Times upon them from the Castle, and demolished their Works: Major General *Huske* marches from hence Tomorrow Morning for *Falkirk* with eight Regiments, at which Place he will be joined by the 1000 *Argyllshire* Men under Lieutenant Colonel *Campbell*. Lord *Hopton* has given 12 Guineas to each Regiment of Foot here, and 12 Guineas to the two Regiments of Dragoons, to buy Beef. The whole Body of the Rebels, as well those who were driven from *Linlithgow*, as those who had marched out of *Stirling*, were all returning Yesterday to that Place in the greatest Panick and Confusion: Lieutenant General *Hawley* is expected here Tomorrow Night with the Train of Artillery, *Price's* Regiment, and *Cobham's* Dragoons.

Newcastle, Jan. 16. Yesterday 48 Gunners and Matrosses marched from hence to join General *Hawley* in Scotland, and were this Morning followed by 16 Pieces of Artillery.

London Gazette Extraordinary, Jan. 23.

Linlithgow, Jan. 17. Lieutenant General *Hawley* having assembled all the King's Troops together near *Falkirk*, in order to attack the Rebels, and raise the Siege of *Stirling Castle*, this Morning their Army made a Motion, and advanced towards him, whereupon he made the necessary Dispositions for receiving them, and marched to a Place called *Falkirk Muir*, about an English Mile to the South West of *Falkirk*, to give them Battle. He was himself with the Left Wing, and Major Gen. *Huske* with the Right, which had greatly the Advantage of the Left Wing of the Rebels. At the Beginning of the Engagement the Horses belonging to the Artillery ran away, and some of the Dragoons in the Left Wing immediately gave Way, as did some Part of the Infantry in the same Wing. Gen. *Hawley* retreated in good Order to his Camp at *Falkirk*, as did Major Gen. *Huske* with the Right Wing. The

Enemy did not venture to pursue them, which was greatly owing to the gallant Behaviour of two Squadrons of *Cobham's* Dragoons, and four Battalions of the Right Wing. There are about 300 private Men of the King's Troops missing, and some Officers are killed. The Officers did their Duty, and led the Men on with great Courage. There are 7 Pieces of Cannon missing. The Loss on the Part of the Rebels is not certain, but it is thought to be considerable. A very great Storm of Wind and Rain arose in the Beginning of the Engagement, which beating upon the Faces of the King's Troops, was very disadvantageous to them. After the Retreat, Gen. *Harvey* had determined to remain in the Camp at *Falkirk*, but the Weather proving extremely bad, and having Advice that the Rebels were pushing to get between him and *Edinburgh*, he marched and took Post here.

We hear that the Rebels are retiring Westward from the Place of Action towards *Stirling*.

Whitehall, Jan. 23. This Day at Noon an Express arrived from Lieut. Gen. *Harvey*, with Letters of the 19th from *Edinburgh*, containing the following farther Particulars of the Action upon the 17th near *Falkirk*.

The whole Army being assembled, and *Cobham's* Dragoons being arrived early upon the Morning of the 17th, it was resolved to march the next Day to attack the Rebels, who by all Accounts lay with their main Body in the Enclosures near *Torwood*; but by the Report of several Persons who were sent out to reconnoitre, they were observed to be in Motion early in the Morning, (as they had also been the 16th) but it was not confirmed that they were in full March against us till about One in the Afternoon, when they were seen at three Miles Distance, marching in two Columns towards the South, to some rising Grounds upon a Moor near *Falkirk*; upon which our Troops got under Arms, and formed immediately in the Front of the Camp, and bent their March towards the same Ground, to which it was apprehended the Rebels were going, being a large Mile on the Left of the Camp: No sooner were the Troops got thither, but we saw the Rebels moving up, their Right extending Southwards: As there was a Morass or Boggy Ground upon our Left, we could not stretch so far as they, so that their Left was pretty near opposite to our Center. The Dragoons were posted upon the Left, and our Foot was formed in two Lines, Part upon plain Ground, and the rest upon a Declivity: When all was formed, and

our first Line within 100 Yards of the Rebels, Orders were given for the Lines to advance, and a Body of Dragoons to attack them Sword in Hand. They accordingly marched forwards, but upon the Rebels giving them a Fire, they gave Ground, and great Part of the Foot of both Lines did the same, after making an irregular Fire, except the two Regiments of *Barrell* and *Ligonier*, under the Command of Brigadier *Cholmondeley*, which rallied immediately, and being afterwards attacked by the Rebels, fairly drove them back, and put them to Flight. Whilst this was transacting, a Body of the Foot, by the Care of Major Gen. *Huske*, formed at some Distance in the Rear of these two Regiments, which the Rebels seeing, durst not advance; and about the same Time Brigadier *Mordaunt* rallied the scattered Battalions into their several Corps, in which he was greatly assisted by the Officers, and pretty near formed them.

For some Time before the Army moved forwards, there was a violent Storm of Rain and Wind, to which we may in some Measure impute our Misfortune, for it hindered the Men from seeing before them, and consequently the Rebels had the Advantage of us greatly in that Particular. Besides, as it rained also before that, many of the Firelocks were so wet, that it is believed not above one in five that were attempted to be fired, went off. Our Loss is very small, the greatest being that of the Officers, several of whom, being left by their Men, were lost. And we have Reason to believe that of the Rebels to be very considerable, by the Report of some who were upon the Field. It was a Misfortune that we could not get up our Artillery to us, for as it had rained heavily in the Night, and on the 17th in the Morning, and having a steep Hill to ascend, and the Horses but bad, they could not get forward, and when we returned to our Camp, we found the Captain of the Train had abandoned it, and the Drivers had run off with the Horses, which obliged us to leave some Pieces of Cannon behind us. The Grenadiers of *Barrell's* Regiment drew down one to the Camp, and Horses were found at *Falkirk* to bring away three of them.

The Evening being excessive rainy, it was thought proper to march the Troops to *Lindisgoth* that Night, and put them under Cover, otherwise we should have continued in our Camp, being Masters of the Field of Battle, and Brigadier *Mordaunt* was ordered to take Post there. When we came to strike our Tents, we found that many of the Drivers had run off with the Horses;

Horses; upon which the General gave Orders, that what Tents were left should be burnt, which was done.

During the Time the Army was on its March to meet the Rebels, a Body of them, with some Colours, passed the River of Carran, towards the Right of the Camp, with a Design, as may be apprehended, to attack it, but the Argyllshire Men being posted in the Front of it, kept them in Awe, so that they prevented their advancing.

The Glasgow Regiment was posted at some Farm Houses where it was thought they might be of Use when the Action begun, and remain'd formed there, notwithstanding they saw that the Dragoons had given Way, and Part of the Foot.

These Letters also add, that it had been resolved that the Army should remain at Linlithgow, whither it had retreated upon the 17th at Night; but, upon Examination, it was found that the Troops had no Powder that would take Fire, from the excessive Rains for twenty-four Hours before, and thereupon a Resolution was taken, upon the 18th in the Morning, to march to Edinburgh and the Places adjacent, where the whole Army arrived that Afternoon about Four o' Clock.

Edinburgh, Jan. 18. Lord Sempil's Regiment arrived here last Night from Berwick, and Major General Campbell's is hourly expected.

Edinburgh, Jan. 19. The Rebels, by all Accounts, lost many more Men than the King's Forces, and could not improve the Advantages they had at the Beginning of the Action, but were driven back by, and fled before a Handful of our Army, and we remain'd Masters of the Field, tho', by the Inclemency of the Weather, and Want of Provisions, Night coming on, our Army was obliged to march to Linlithgow, and thereby abandon what Cannon and Tents they could not find Horses to carry off.

Part of the Rebel Army are return'd to Stirling, and the Remainder were Yesterday Night at Falkirk, and this Morning they sent to bespeak Quarters at Linlithgow.

Just now about 31 of our Officers, who were taken Prisoners at the Battle of Preston, being all that were at Glamis, Coupar and Leslie, and who were delivered by armed Parties of his Majesty's loyal Subjects, in the Neighbourhood of those Places, have been brought hither by a Detachment of those Parties.

Sir Robert Munro is wounded and taken Prisoner.

Of the Rebels, Lochiel, Lord Perth and his Brother, are said to be wounded, and Lochiel's Brother is killed, and a Major Mackdonald taken Prisoner.

The Gunners from Newcastle arrived here Yesterday, as did Major General Campbell's Regiment. We are stronger now than we were before the Action.

List of the Officers retaken from the Rebels by the Militia of the Shire of Angus.

A Lieut. Col. Whiteford, of Cochran's Reg. of Marines. Lieut. Patton, and Ensign Wakeman, of Guise's. Capt. Lieut. Kennedy, and Ensign Archer, of Lee's. Major Talbot, Capt. Leslie, Lieut. Wall, Lieut. Rae, Ensigns Sutherland, Lusk, and Berne, of Thomas Murray's. Major Savern, Captains Callier, Barlow, Anderson, Corbett, and Forrester; Lieut. Saviney, Ensigns Stone, Cox, and Goulton, of Lascelles's. Capt. Munro, Capt. Lieut. M'Nabb, Lieut. Reed, Ensigns Grant, M'lagan, M'Kay, and Campbell, of Lord Loudoun's. Quarter Masters Webb and Young, of Col. Ligonier's.

Whitehall, January 23.

C The 3 Regiments of Foot of Sempil, Campbell, and Blith, have been order'd to join Lieut. Gen. Hawley as soon as possible; and the Regiments of Dragoons of Mark Ker, and St. George, which were on the Borders of Scotland, are order'd to Edinburgh; as are the Duke of Kingston's Regiment of Horse, and Major Gen. Bland's Regiment of Dragoons.

D We hope very soon to hear of the Arrival of the Hessian Infantry in Scotland.

From the London Gazette, Jan. 25.

E Edinburgh, Jan. 20. Yesterday a Court Martial was ordered for the Trial of some Officers and Men who behaved ill in the late Action, of which Brigadier General Mordaunt is President, and the Proceedings began this Morning. The Pretender's Son marched back to Stirling, Saturday Afternoon. That Morning the Rebels summoned the Castle to surrender, and again in the Afternoon; but General Blakeney's Answer was, That he had always been looked upon as a Man of Honour, and that the Rebels should find he would die so. The Army is preparing to move from hence again, the Cannon and Stores being on the Road from Berwick and Newcastle. As yet we have heard but of 30 of our Men who were made Prisoners by the Rebels, and carried to Stirling, one Half of which belonged to the Glasgow Regiment; and we have also an Account of three Officers wounded. The others, who are missing, it is to be feared are killed, particularly Sir Robert Munro; Lieutenant Colonel Whitney, Powell, and Biggar, though as yet we have no absolute Certainty, and cannot form a List. One hundred and seventy Men,

Men, supposed to have been lost, got on board a Vessel at *Barroustouness*, and came in here this Day, and more are continually coming in. The Loss of the Rebels is, by all Accounts, considerable; but the Number of their Killed and Wounded are not known. The Country People about *Falkirk* report, that six People of Note of their Army have been buried in that Neighbourhood, and that many of their Officers attended at those Funerals. *Sullivan* is said to be one of their Slain.

The following is an Extract from a private LETTER.

Edinburgh, Jan. 21. People of all Ranks here are under the deepest Concern for the unhappy Fate of *Sir Robert Munro*: The Attachment that he, his Family, and Clan, had to the present Government and Welfare of the Country, makes his Loss at this Time the more to be regretted. What adds to the general Concern is, that *Mr. Duncan Munro* his Brother, led there only by brotherly Love, shared the same Fate; and this unhappy Family is now represented by *Sir Harry Munro*, Captain in *Lord Loudoun's* Regiment. The Rebels did so far Justice to *Sir Robert Munro's* Merit, as to give him an honourable Interment in the Church-Yard of *Falkirk*.

On the Duke's going to Scotland.

GO, glorious youth, belov'd of Britain,
go, [see:
And pour just vengeance on the trait'rous
If millions lifting hands and eyes to heav'n
Avail, to thee will vict'ry soon be given:
A nation's prayers await thee to the field,
That providence thy precious life may shield:
Blast, gracious God, th' assassin's hell-bred
scheme,
And O! be this *Britannia's* grateful theme;
William return'd, with health and laurels
blest'd,
And curs'd rebellion totally depress'd;
Crush'd! sunk! confounded! ne'er to rise
again!
And let exulting *Britons* say—Amen!

The following LETTER was published soon after the Dismissal of a brave and vigilant SEA OFFICER.

My L—d D—ty,

YOUR Gr—ce having from a Nobleness of Mind, and Humanity of Temper, becoming of your high Birth, espoused the Cause of an injured innocent Person, and honoured with Marks of your generous Friendship an Officer you thought so deserving of it, so as to become his Advocate, and procure his being restored to his

Rank in the Royal Navy, and employed in it accordingly at this critical Conjunction; as a Testimony of your Gr—ce's Confidence that he had Judgment to execute it, and an honest Zeal for approving himself a faithful, zealous and diligent Officer and Servant to our Royal Master.

A And I hope in God, as well as I sincerely believe it to be true, that this Officer, in the Person of your humble Servant the Writer, has had that just Regard for the Discharge of the Duty confided to him thro' your Gr—ce's Means, that he may with Confidence assert, that he has acted so circumspectly, diligently and assiduously in the Execution of that Trust, as to have manifested to the World that your Gr—ce was neither deceived in your Judgment of his Capacity for the Service of the Crown, nor his Inclination to discharge his Duty to our Royal Master, with a sincere, honest Zeal, for approving himself his Majesty's faithful Subject and Servant, which he has had the double Incitement to, of his Duty to the King, and the just Regard he ought to have for justifying your Gr—ce in the good Opinion you had entertained of him. As I am conscious I have done nothing ever justly to forfeit that good Opinion that engaged your Gr—ce to honour me with your Patronage and Friendship, I entertain too good an Opinion of your Gr—ce to think I have not the Continuance of it, notwithstanding the late Incident of my being bunted out of my Command by the operative Malice of some malicious and industrious Agent, that is too well screened over, for my being able particularly to discover him, and point out who it is; so that must remain to me a Secret, till some happy Providence in the Course of Time may more clearly discover it; not being nevertheless in my own Mind doubtful, but I can trace the original Cause of it, and guess pretty nearly at who may be the concealed Director of it. As the Pen of the S—cr—t—ry of the Ad—ty conveyed these bitter Shafts that were levelled at me, I thought it right to suggest, that his Pen might be tinged with a Gall flowing from his own Mind, beyond the Direction he might receive for it, from which I thought it my Duty to acquit him on a Gentleman-like Apology in regard to his Office, which I was no Stranger to its being his Duty to obey, and on an Assurance of a good Will he had always professed, and I well knew I never given him Occasion to alter the Sentiments of a professed Friendship for me.

And one of the Occasions taken to justify this Conduct towards me, having been that I had, within the Channel of England, on a Ship's Service being immediately wanted for

for proceeding to Sea, and being without a Gunner, (certainly a necessary Officer for her Defence) and which I could not think myself justified in permitting to go to Sea without, presumed, as it is called, to warrant a Gunner to her, for proceeding to Sea in her, as I judged it to be absolutely necessary for his Majesty's Service, and the Defence of the Ship.

And having now stated the Fact, I shall presume to give your Grace my Sentiments in that Particular, viz. That it is my Opinion, that when the Admiralty is ordered by the Crown to fit out a Fleet for the Service of the Government in the Channel of England, or on foreign Service, and the Admiralty had commissioned them out of the Sea Officers on Shore, and appointed the Admiral to command in Chief, in pursuance of his Majesty's Pleasure, and the Fleet were assembled together, that to support the necessary Command of the Officer the King had appointed, it was the Government's Interest that the Commander in Chief should name all Officers that fell vacant, and has not been denied while the depending Service was essential; but Pretences from the Admiralty, that the Ships were not assembled, or not under Orders, and as Checks are in their Power, they have contradicted it, tho' always to the Prejudice of the Crown's Service. For when the People of the Fleet see their Commander in Chief can neither support their Pretensions of Merit, nor his own Authority over them, they must naturally look after those who are no Judges of their Service, and renders the Commander contemptible to the Fleet. This Power is known to have been absolute in the Commanders in Chief in the Channel, and in one who has added Honours to your Grace's Family; and when that Power has been wanting, has, I believe, been always found prejudicial to the Service of the Crown and Prosperity of the Kingdom.

And having given your Grace the Trouble of reading my Sentiments in this Particular, I will now proceed to declare, that it is my Opinion that this is the Sentiment of Sir John Norris likewise, and that your Grace has most grossly been imposed upon in the Assertion of Sir John Norris's being of a contrary Opinion; and I thank God that Sir John Norris is now living, who can satisfy your Grace, his Majesty, or the Publick, what are his Sentiments, whenever it be thought proper to take his Opinion upon it. Your Grace may think I talk with much Confidence of Sir John Norris's Opinion at this Distance, but when I inform your Grace that I have served immediately under his Command as a Lieutenant, when he

served as first Captain under that brave, honest and experienced Admiral, Sir Cloudesley Shovel, that was an Honour to his Country and the Service, and whom, I believe, no Man knew that did not love and esteem him; and I have on several Occasions served as a Captain under Sir John Norris, whom I know to be a consummately experienced and gallant Sea Officer, and have lived in an uninterrupted Friendship with him; your Grace will not be surprized that I venture to assert what is his Opinion, as well as my own; and were you to consult Admiral Mordaunt or Sir Christopher Ogle, tho' I don't pretend to give you now my Opinion in regard to them, yet I do verily believe this to be their Opinion likewise; but of this it is easily in your Grace's Power to satisfy yourself.

I shall now only add, that I am at present detained here, for having my Baggage embarked for proceeding to Harwich in one of the armed Vessels, Vice Admiral Mordaunt has been so obliging to assign me, to carry to my House on the Ipswich River.

I propose at present being in London by Tuesday or Wednesday Night; whenever it is I shall be at your Grace's Door the next Morning after my Arrival, in order to pay my Duty to your Grace, and afterwards, before I set out for Suffolk, (if it has your Grace's Approbation) to be presented by you to pay my Duty to his Majesty. And the Favour I shall now desire of your Grace is, that your Porter may have Orders from you to let me in, if such a Visit be agreeable to your Grace, and if not that I may be told so, not to give an unnecessary Trouble to you or myself.

I have begun with expressing a grateful Sense of the Testimony of the Friendship you have honoured me with, which on all Events I shall ever retain, as I may say it is a sort of hereditary Inclination in our Family to have entertained an Honour for your Grace, from the Memory of that glorious Martyr for the Liberties of his Country, my Lord William Russell, the Memory of which has in some Manner been transmitted to Posterity with my Father's Hand, whom I think was the Draughtsman of the Ducal Patent in your Grace's Family; and I have heard it much commended for the Elegancy of the Stile, and the just Honours done to a Nobleman of so many amiable Qualities, unsullied by any Vices that ever I heard of.

That your Grace may live and die as great an Honour to your Family, shall ever be the sincere Wishes,

My Lord D—r,

Of your Grace's, &c.

In

In November last we promis'd the following, wherein the Bricklayer seems to vie with the famous STEPHEN DUCK the Thresher.

To his Excellency the Earl of CHESTERFIELD. By one JONES, a Journeyman Bricklayer.

AMIDST th' applause which art and learning brings,
Listen, O Stranope, to what nature sings.
Tho' rude the notes, yet noble is the choice,
The subject only can support the voice.

Patron of arts! whose happy wisdom's known,

To Belgian councils, as to British throne;
Whose tongue determin'd unresolving states,
Genius of Albion's, and of Europe's fates:
Fir'd with the glories of thy splendid name,
Thro' various climates still pursued by fame,
To thee, a Muse unskill'd in Latin lays,
Or Grecian style, her voice obscure would

raise, (less praise;
Her wond'ring voice, to sing thy match-

Wrapt in the theme sublime, would proudly

And sound thy welcome to her native shore.

Illustrious guest, for lib'ral arts re-

known'd! O princely bard, with pompous titles

Titles and pomp, which gazing crowds a-

dore, The wise will reverence, but thy virtues

Where easy dignity and worth unite,

Virtue the soul, and splendour charms the

light. Thee even factions with one voice require;

And Heav'n and George indulge the strong

desire, See bending crowds with willing hearts

And thankful own the delegated sway,

Tho' no'er great *Brutus* to *Hibernia* rise,

But shines afar, and gladdens other skies,

His god-like pow'r beneficent we view,

Effulgent and reflected all from you.

'Tis thus the silver substitute of day,

Supplies his absence with a borrow'd ray;

O'er the gay globe with gentle beam pro-

duces, Cheers the wild-waste, and rules the tem-

Whose heaving bosoms swell the publick

store, With wealth and plenty from each distant

In expectation flocks the tuneful throng,

And glows to hail thee with a grateful song;

As birds, exulting on the eager wing,

Salute the dawns of the glad spring,

Their pouring throats employ from spray

to spray,

To greet the sun, and bless the genial day;

Each raptur'd Muse shall now resume her

lyre, Swell the full chords, and sweep the sound-

Sacred to thee the melting strains shall flow,

To thee, the numbers of the strain they owe.

Thrice happy genius! in whose soul con-

spire

The statesman's wisdom, and the poet's fire;

O friend to arts! revive our drooping isle,

And make those arts by thy indulgence

Ev'n here thy presence shall their strength

restore, Tho' *Congreve*, *Steele*, *Roscommon*, are no

Tho' *Morris*† silent hide his heav'nly strains,

And Britain's senate noble † *Boyle* detains;

Tho' *Swift* be dumb, for *Swift* *Terne* weeps,

The pride, the pillar, of his country sleeps.

His clouded soul emits no dazzling ray,

But faintly warms the animated clay.

Not Rome's sad ruins such impressions leave,

As reason bury'd in the body's grave.

His living lines shall mix their sacred fire

In nature's blaze, and with her works ex-

pire. Nor thou, great Sir, on these weak num-

bers frown, Which mourn for *Swift*, and sing thy just

Such strains, alas! as my unletter'd hand,

Trembling would reach thee on the crowded

strand; But thronging thousands intercept my way,

And deafning J's drown my feeble lay.

Yet if a moment from the toils of state,

And all the burthen of the kingdom's

weight, A little leisure to the Muse you lend,

(Each leisure moment is the Muse's friend)

Permit, my lord, that my unpolish'd lays,

May hope for pardon, tho' they fail to

please. To PETER THOMPSON, Esq; on his re-

ceiving the Honour of Knighthood.

THO' great the monarch, whose supe-

rior sway

Distracted Albion's restless sons obey,

He thinks thou justly claim'st his high re-

gard,

And gracious gives thee thy deserv'd re-

Awful the man, and sacred is his name

Thro' ev'ry period to the fairest fame,

Who falls a victim in the glorious cause

Of publick liberty and holy laws.

Dare then, thou patron of the poet's song,

To aid thy country, and revenge her wrong.

Reflect

* Rev. Mr. Edward Morris of the Queen's County, a very eminent Poet. † Earl of Orrery. ‡ This was wrote before he was dead, when he had been for some Time super-

Reflect on *Cato*; in his footsteps tread;
 And imitate th' illustrious life he led.
 Struggling for freedom, with a virtuous pride,
 He liv'd triumphant, and triumphant dy'd.
 Be thou to *Britain* what he was to *Rome*,
 And may such lines as these adorn thy tomb:
 ' Here sleeps the patriot, whose exalted
 mind
 ' With universal love embrac'd mankind.
 ' Firm in his loyalty he serv'd the throne,
 ' And fought his sov'reign's glory, not his
 ' own. [the ground,
 ' Hence, when the last loud trumpet rends
 ' His rising body shall in bliss be crown'd.
Poole. H. PRICE.

EPITAPH on Mrs. GREEN.

BENEATH this awful stone a widow lies,
 Whose spotless name the blast of tongues
 defies;
 Much by kind providence to her was giv'n;
 And much she wisely lent the poor and
 heav'n:
 Heav'n then now pays her for her pious
 And endless life the stroke of death succeeds.
Poole. H. PRICE.

To Mr. JOSEPH MERRYWEATHER. On
 his Marriage with Miss DERHAM.

OF T have I wish'd, if thou wert born
 to wed, [bridal bed:
 That some chaste nymph might share thy
 And now much pleas'd th' auspicious day
 I see, [joy to thee:
 Which crowns my hopes, and brings all
 For lo! the beauteous object of thy vows,
 Hears ev'ry accent with unbended brows;
 In whose fair face, and fairer mind unite,
 What most can give, or most deserve delight.
 Coy modesty sits on her cheek confest;
 Scarce cou'd thy own soft numbers move
 her breast.
 To praise her blooming youth both sexes
 join; [thine!
 Heav'n loves her too,—what happiness is
 Soon as the Genius of our arms shall quell,
 And drive rebellion trembling down to hell,
 Perhaps the Muse once more may touch
 the strings, [sings:
 And charm thy ear, long listning while she
 Till then, to friendship, and to virtue true,
 Live and be blest; ye gen'rous pair, adieu.
Poole. H. PRICE.

On Miss B——v T——, of St. Bees, near
 Whitehaven, Cumberland.

HOW sweetly mix'd with unaffected
 grace, [face!
 Shines conscious merit in that beauteous
 When we such sweetness in that form descry,
 How gladness sparkles in each other eye!

Enchanting fair! had *Paris* seen those eyes,
 The *Cyprian* dame had then resign'd the prize:
 Or were that shape and air to *Zenxis*
 shown, [unknown;
 His *Grecian* nymphs had still remain'd
 And what they all deny'd, he here had
 found in one.

But if a face has such a force to charm,
 How must a heav'nly mind our pow'rs
 disarm!

When unaffected wit and native sense,
 Simplicity and truth, above pretence;
 When all that temptingly the heart beguiles,
 When gayly killing looks, and dimpling
 smiles, [love,
 With ev'ry nameless grace, excite our
 Ev'n *Cato's* self the passion wou'd approve;
 Adorn'd with all that heaven cou'd bestow,
 Ev'n he'd confess her empire here below.

Vouchsafe, dear nymph, to view this
 picture thro';

'Tis you it represents, and only you.

The lines are rough, unfinish'd is the
 draught,

Nor are the parts in just proportion wrought:

Oh! let its faults your kind indulgence
 share; [image there.

Then search my breast; you'll find a perfect

AMATOR.

KITTY MAC EUNE: Or, The ACCOM-
 PLISH'D FAIR.

I.

YE lovely bright nymphs, and ye sprightly
 gay swains, [and plains,

That adorn all the beauties of woods, groves,

Accept a shepherd's verse,

Attempting to rehearse

The peerless perfections of *Kitty Mac Eune*.

2.

Her eye the clear crystal, thro' which mor-
 tals find [mind;

Those treasures immense of a heavenly

With endless graces fraught,

Beyond the reach of thought,

The mirror of virtue is *Kitty Mac Eune*.

3.

Her face, the *May Morning*, bright form'd
 from above,

Enlivens all nature with radiance and love;

The more its beauty's seen,

Still more it shines serene, [Eune,

Such, such the blest charmer, fair *Kitty Mac*

4.

Where flowers grow sweetest there bees

most abound, [most found;

Where virtue's most lovely, there envy's

So nicely courteous she,

From affectation free,

The pride of all charmers is *Kitty Mac Eune*.

Z. Z.

We must desire our poetical Correspondents to

excuse our deferring several Pieces to our next,

as we have not room for them in this.

THE Monthly Chronologer.



THE following Instance of true and honest Patriotism deserves to be recorded. We were inform'd, that as soon as the young Pretender came to *Glasgow*, he sent for the Provost of that City, and demanded of him the Names of those who had subscrib'd for raising Troops against him, threatening to hang him immediately in case of a Refusal; to which the Provost bravely and boldly reply'd, 'He would not give up the Name of any one Person in the Town; but that he had himself subscrib'd a greater Sum than any other Person, as he thought it his Duty; and that he fear'd not to die in such a Cause.'

Lieut. Gen. *Hawley* having been appointed to command the Army that was marching into *Scotland*, in the Room of Marshal *Wade*, the latter arriv'd soon after in Town.

WEDNESDAY, Jan. 1.

His Grace the Duke of *Bolton* set out for *Sandwich* in *Kent*, to command the Forces then assembling in those Parts.

THURSDAY, 2.

Admiral *Vernon* having been recalled, struck his Flag in the *Downs*, and was succeeded in the Command of the Fleet there by Rear-Admiral *Mayne*. (See p. 44.)

The Hon. *Alexander Hume Campbell*, Esq; Member for the Shire of *Berwick*, resign'd his Office of Solicitor-General to the Prince of *Wales*.

SATURDAY, 4.

The Most Hon. *John Marquess of Tweeddale*, resign'd the Seals to his Majesty, as Secretary of State for *Scotland*; which Office having been sunk a long Time, was reviv'd about 4 Years ago, and 'tis doubted whether the Marquess may have any immediate Successor.

SUNDAY, 5.

This Morning, about Seven, his Royal Highness the Duke of *Cumberland* arriv'd at *St. James's* from *Carlisle*.

TUESDAY, 7.

Admiral *Vernon* arriv'd in Town from on board the *Monmouth* in the *Downs*, and soon after set out for his Seat at *Nacton* in *Suffolk*.

THURSDAY, 9.

His Royal Highness the Prince of *Wales* was pleas'd to send a Bank Note of 500l. to the Right Hon. the Lord Mayor, as a Contribution towards the Subscription

now carrying on at *Guildhall*, for the Relief, Support and Encouragement of the Soldiers employ'd in suppressing the present Rebellion.

SATURDAY, 11.

A Train of 18 Pieces of Cannon was sent from *Woolwich* to *Sandwich*.

TUESDAY, 14.

The Parliament, after several Adjournments, having assembled on this Day, his Majesty came to the House of Peers, and made a most gracious Speech to both Houses. (See p. 25.)

THURSDAY, 16.

The Hon. the Court of Lieutenancy of *London*, agreed to lay aside all farther Duty of the Train'd Bands, either by Night or Day, till any farther Emergency!

His Majesty in Council was pleas'd to appoint the following Sheriffs for the Year ensuing, viz: For *Berks*, *Richard Tonson*, Esq;—*Bedf.* *Robert Ashwell*, Esq;—*Bucks*, *George Pearse*, Esq;—*Cumb.* *Christopher Patenson*, Esq;—*Chefbire*, *Ralph Leycester*, Esq;—*Cambr. and Hunt.* *Thomas Houghton*, Esq;—*Dorset.* *Benj. Adney*, Esq;—*Essex*, *John Olmius*, Esq;—*Herts.* *Charles Halsey*, Esq;—*Heref.* *Richard Smyth*, Esq;—*Kent*, *Arthur Harris*, Esq;—*Leicest.* *Edmund Morris*, Esq;—*Lincoln.* *William Welby*, Esq;—*Monmouth.* *Thomas Jenkins*, Esq;—*Northumb.* *John Watson*, Esq;—*Northamp.* *Sir Samuel Newman*, Bart.—*Norfolk.* *Sir Horatio Pettus*, Bart.—*Notting.* *John Thornhaugh*, Esq;—*Oxf.* *John Raine*, Esq;—*Rutl.* *John Mitchell*, Esq;—*Shropshire.* *George Weld*, Esq;—*Somerset.* *John Halladay*, Esq;—*Suff.* *Philip Coleman*, Esq;—*Southamp.* *John Walter*, Esq;—*Surrey.* *Thomas Page*, Esq;—*Suffex.* *Thomas Ridge*, Esq;—*Warwick.* *John Hunt*, Esq;—*Worcest.* *William Amphlett*, Esq;—*Wils.* *Godfrey Kneller*, Esq;—*Yorkshire.* *Henry Ibbettson*, Esq;—For *South-Wales:* *Brecon.* *Richard Wellington*, Esq;—*Carmar.* *Eugene Vaughan*, Esq;—*Cardigan.* *Sir Lucius Kristianus Lloyd*, Bart.—*Glam.* *Whitlock Nicholls*, Esq;—*Pemb.* *Morris Bowen*, Esq;—*Radnor.* *Henry Williams*, Esq;—For *North-Wales:* *Angl.* *Edward Williams*, Esq;—*Carnar.* *William Thomas*, Esq;—*Demb.* *Thomas Lloyd*, Esq;—*Flin.* *Sir Thomas Longueville*, Bart.—*Merioneth.* *Robert Parry*, Esq;—*Montg.* *Thomas Edward*, Esq;

SATURDAY, 18.

Two Persons received Sentence of Death

at the *Old Baily*, viz. *John Webb*, a Shoemaker, for the Murder of *Harman Dock*, by stabbing him in the Belly with a Shoemaker's Knife; and *Joseph Maysen*, a Boy of 14 Years old, for Burglary.

MONDAY, 20.

The Anniversary of the Birth of his Royal Highness the Prince of *Wales* was celebrated, who then entered into the 40th Year of his Age.

The same Day was held a General Court of the *Bank of England*, when it was resolved to empower the Directors to lend the Government one Million on the Malt and Land Tax, at an Interest not less than 4 per Cent. The said Court, at the same Time, empowered the Directors to subscribe 1000*l.* to the Scheme for the Relief, Support and Encouragement of the Soldiery.

TUESDAY, 21.

His Royal Highness the Duke of *Cumberland* was pleased to subscribe 500*l.* towards the Scheme for building Carriages for the Use of the Soldiery on any Emergency.

Admiralty Office, Jan. 22. Captain *Cotes*, of his Majesty's Ship the *Edinburgh*, who arrived at *Plymouth* the 19th Instant, took the Night before a new *French Privateer* of 32 Guns and 275 Men, called the *Duke de Chartres*, 20 Leagues to the Southward of the *Lizard*, and has brought her in with him.

THURSDAY, 23.

Was held a Court of Common-Council at *Guildhall*, when a Motion was made to petition the Parliament for Leave to bring in a Bill to take off the Negative Voice of the Court of Aldermen, which was agreed to, and a Committee was appointed accordingly, of 6 Aldermen and 12 Commoners, to draw up the said Petition.

At the same Time, it was unanimously agreed, to present his Royal Highness the Duke of *Cumberland* with the Freedom of the City of *London*, in a Gold Box.

SATURDAY, 25.

His Majesty having been pleased to direct his Royal Highness the Duke of *Cumberland* to repair to *Scotland*, to take upon him the Command of the Army there, his Royal Highness set out upon his Journey thither between Twelve and One this Morning.

An EXPLANATION of the OXFORD ALMANACK, 1746.

A View of *St. Mary Hall*: At the Top of the Left Hand Column is the Picture of King *Edward II.* Founder of the Hall, and over-against him, on the Top of the Right Hand Column, is a Picture of *Dr. Dyke*, a *Somersetshire Gentleman*, who endowed the Hall with four Scholarships. In the Middle, between these two Figures, are the Hall Arms; under King *Edward* is a Bust

of Cardinal *Allan*, who was formerly Principal of this Hall; and under the Cardinal's is a Bust of *Sir Thomas Moore*, who was educated there. On the Right Hand, next under *Dr. Dyke's* Picture, is placed a Bust of *Erasmus*, who some Time resided in this Hall; and under the Head of *Erasmus* is a Bust of *Mr. Sandys*, a celebrated *English Poet and Traveller*, who had his Education in that Place. At the Bottom are emblematical Figures of the Arts and Sciences, and between them, in the Middle, are the Arms of the Earl of *Arran*, Chancellor of the University, and Patron and Visitor of *St. Mary Hall*.

MARRIAGES and BIRTHS.

MR. *Richard Gomm*, Son of *Mr. William Gomm*, an eminent Merchant in *Clerkenwell*, to *Miss Stoneyer*, of *Fleet-street*, a 6000*l.* Fortune.—*Henry Talbot*, Esq; to *Miss Gordon* of *Newington*.—*Henry Mackworth Praed*, Esq; to the Lady *Delves*, Relict of the late *Sir Brian Broughton Delves*, Bart.—*George Pitt*, of *Stratfieldsea* in *Hants*, Esq; to *Miss Athyns*.—*Michael Bond*, Esq; to *Miss Hale*.—*Dr. William Clark*, a Physician of this City, to *Miss Furley*.—*Sir Stephen Smallbrook*, of *Rockford* in *Essex*, to *Miss Russel*.—*Peter Brooks*, Esq; of *Cheshire*, to *Miss Meriel Leigh*, a 50,000*l.* Fortune.—*Sir Basil Ward* of *Greenham*, Bart, to *Miss Amelia Carolina Dersten*, a 50,000*l.* Fortune.—*Augustine Venables*, Esq; to *Miss Stanley*, a 15,000*l.* Fortune.—*Edward Blaker*, Esq; to *Miss Honeywood*, Niece to *Gen. Honeywood*.—*Hon. Venable Stanhope*, Esq; Nephew to the Earl of *Chesterfield*, to *Miss Anna Russel*, a 30,000*l.* Fortune.—Lady *Romney*, deliver'd of a Son.—*Countess of Carlisle*, of a Daughter.

DEATHS.

SIR *Willoughby Thornton*, near *Wellington* in *Hertfordshire*.—*John Orlebar*, Esq; Clerk of the Peace for *Huntingdonshire*.—*Mr. Charles Geering*, a wealthy Tobacconist in *Friday-street*.—*Samuel Pennington*, Esq; Principal Register of the Diocese of *Peterborough*, and Archdeaconry of *Northampton*.—*Rev. Mr. Sutton*, Prebendary of *Brissol*, and Rector of *St. Augustine's* there.—*Samuel Cockayne*, of *Cockayne-Hatley*, Esq; one of the Captains in the Navy.—Lady *Broughton*, Relict of *Sir Bryan Broughton*, of *Broughton* in *Staffordshire*, Bart. She was Daughter and Heir of the late *Sir Thomas Delves*, of *Doddington* in *Cheshire*, Bart.—*Arthur Stert*, Esq; only Son of *Arthur Stert*, Esq; Member of Parliament for *Plymouth*.—*Rev. Mr. Payne*, Minister of *St. Peter's* in *Northampton*, and of *Upton* in that County.—*Samuel Lock*, Esq; Brother to *Sir John Lock*, Knt. an eminent *Turkey Merchant*.

chant.—*Thomas Bird*, Esq; at *Coventry*, one of the most considerable Silk Manufacturers in *England*.—*Lady Charlotte Maffone*, Relict of *Sir Felix Maffone*, of *Cumberland*, in the 98th Year of her Age.—*Sir Philip Hall*, Knt. at *Upton* in *Essex*.—*James Lord Balmorino*, one of the Lords of Session in *Scotland*.—*Mrs. Jane Molineux*, Relict of *Thomas Molineux*, of *Lancaster*, Gent.—*Mr. Bronsden*, an eminent Ship-Builder at *Rotherhithe*, in Partnership with *Mr. Wells*.—*Frances Lady Dowager Stapleton*.—Brigadier General *Lowther*.—*Mr. John Nicholls*, F. R. S. and one of the Society of Antiquaries.—*Christopher Bedingfield*, of *Whiting* in *Norfolk*, Esq; whose eldest Daughter is married to *Sir Jacob Astley*, Bart.—Rev. and Learned *Mr. Samuel Alcomb*, A. M. one of the Preachers of *Winchester Cathedral*.—Rev. *Mr. Greenaway*, Lecturer of *Berwick upon Tweed*.—*Richard Maffey*, Esq; of *Bolton* in *Lancashire*, who went a Volunteer with his Royal Highness the Duke to *Carlisle*, and behaved with Bravery at the Action of *Clifton*.—*Peter Walter*, Esq; in the 83d Year of his Age, a very noted Money Scrivener, and Clerk of the Peace for *Middlesex*, said to have died worth 300,000l.—*Mr. Peirce*, one of the Surgeons of *Guy's Hospital*.—*John Ward*, Esq; Son of *Sir John Ward*, Knt. formerly Lord Mayor of *London*.—*Mr. Richard Bosworth*, eldest Son of *Sir John Bosworth*, Knt. Chamberlain of *London*.—Rev. Dr. *Donne*, Prebendary of *Canterbury*, and Rector of *ANballows*, *Lombard-street*.—Rev. *Mr. Gilbert Burnet*, Minister of *St. James's*, *Clerkenwell*, and Rector of *Coggeshal* in *Essex*: A Gentleman greatly esteem'd for his agreeable Conversation, good Sense, Humanity and Generosity, and every social Virtue, and whose Loss is sincerely regretted by all that knew him.

Ecclesiastical PREFERMENTS.

MR. *Sanxy*, presented to the Living of *Sutton* in *Surry*.—*Samuel Creed*, B. D. to the Rectory of *Astton* near *Macclesfield*.—Lord *Vise. Strangford*, nominated by the Lord Lieutenant of *Ireland*, to the Deanery of *St. Patrick's*, in the Room of the late Dr. *Swift*.—*Samuel Jackson*, B. D. to the Rectory of *Mould* in *Somersetshire*.—*Mr. William Woolfall*, chosen by the *Mercers Company*, *Thursday's* Lecturer at *Berwick upon Tweed*. The Votes were equal for him and *Mr. James Robertson*, when the Master gave *Mr. Woolfall* his Casting Vote.

PROMOTIONS Civil and Military.

EARL of *Rockingham*, made Lord Lieutenant and Custos Rotulorum of the County of *Kent*.—Earl *Fitzwalter*, made Lord Lieutenant and Custos Rotulorum of the County of *Essex*.—Hon. Capt. *Legge*,

made Captain of the *Windsor*, a 60 Gun Ship.—*Henry Grey*, of *Howick* in *Northumberland*, Esq; made a Baronet of Great Britain.—*Peter Tomms*, Gent. made Portcullis Pursuivant at Arms.—*Corbyn Morris*, Esq; made Secretary of his Majesty's Island of *Cape Breton*.—*Lancelot Storie*, Esq; made Major of *Chelsea Hospital*, and *Henry Harris*, Esq; Steward of the said Hospital in his Room.—Capt. Lieut. *Lampriere*, promoted to the Command of a Company in the Hon. *Thomas Murray's* Regiment of Foot, and Lieut. *Browning* made Capt. Lieut. in his Room.—*Mr. John Steer*, an eminent Attorney at *Guilford*, appointed a Master Extraordinary in Chancery.—Counsellor *Pacey*, of *Boston* in *Lincolnshire*, made one of the Prothonotaries of the Court of Common Pleas.—*Abraham Isaac Elton*, Esq; Brother to *Sir Abraham Elton*, Bart. chosen Town Clerk of *Bristol*.—Capt. *Smith*, made Capt. of the *Salisbury*, a 50 Gun Ship.—Lieut. *Gust*, made Capt. of the *Otter Sloop*.—Hon. *Henry Finch*, Esq; made one of the Gentlemen of his Majesty's Bed-Chamber.—Hon. *Henry Batburs*, Esq; made Solicitor-General to the Prince of *Wales*.—Hon. *Samuel Masbam*, Esq; made Deputy Paymaster of the Forces.

New Member.

SIR *Tho. Hales*, Bart. for *Canterbury*, in the Room of the Hon. *Tho. Watson*, Esq; now Earl of *Rockingham*.

[Bankrupts in our next.]

Abstract of the London WEEKLY BILL, from Dec. 31. to Jan. 28.

Christned	{ Males 648 }	{ Females 597 }	1245
Buried	{ Males 1253 }	{ Females 1303 }	2556
Died under 2 Years old			782
Between 2 and 5			203
	5	10	87
	10	20	86
	20	30	211
	30	40	264
	40	50	267
	50	60	237
	60	70	188
	70	80	151
	80	90	68
	90 and upwards		12

2556

Hay 33 to 36s. a Load.

ITALY

The Hue and Cry came to Hand, but does not suit our Design.

Some of our Correspondents will excuse us if we take Notice, that sometimes, tho' Post-paid has been writ upon the Letter, we have been forc'd to pay the Postage notwithstanding.

ITALY having been the only Scene of Action since our last, we shall begin with the Advices from thence. The combined Armies of France and Spain, &c. having made themselves Masters of all the Milanese to the Eastward of the Tessin, except the Citadel of Milan, and some few other Forts, and having thereby cut off all Communication between the Mantuan and the Austrian Army under the Prince of Liechtenstein, that Prince laid a Scheme for recovering the Communication, and for that Purpose attacked, on the 23d of last Month, N. S. a Body of 7000 Spaniards, who had advanced to Oleggio, which, after a sharp Engagement, he defeated; but the Infant Don Philip, having marched his whole Army to the opposite Banks of the Tessin, over which he had two Bridges, one near Pavia, and another at Sesio, where the Tessin issues from the Lago Maggiore, and the Prince being apprehensive, lest the French from Valenza might march at the same Time and attack him in the Rear, whilst the Spaniards attacked him in Front, he thought proper to abandon his Enterprize, and retire to Novara and Vercelli, so that the Communication remains cut off, which will render it very difficult for the Reinforcements coming from Germany to join with him or the King of Sardinia, who, in the mean Time has ordered a large Body of his Troops to advance to Cbiavasco, in order to prevent its being in the Power of the Enemy to surround the Austrians, or to cut off the Communication between him and them.

By all Accounts from Italy we are assured, that strong Applications have lately been made by the Courts of Madrid and Versailles, for bringing the King of Sardinia into their Terms, but he has bravely resolved to stand firm by the House of Austria, and has declared, he will conclude upon nothing without the Consent of his Allies. On the other Hand the Genoese seem resolved to stand as firm by the House of Bourbon, and have resolved to raise three new Regiments, and to furnish a great Number of Seamen for fitting out, in Conjunction with France and Spain, a strong Squadron to act in the Mediterranean; but in the mean Time, they are like to lose, for the present at least, the Island of Corsica, the whole being now reduced by the British Squadron and the Natives, to the Obedience of the King of Sardinia, except the Fortresses of Calvi and Ajaccio.

The only News of Importance we have from Germany since our last are, that the Elector Palatine having received a Courier from Berlin, with Advice of his being included as a contracting Party in the late Treaty of Dresden, his Electoral Highness returned for Answer, That he accepted with Pleasure his being included in that

Treaty as a contracting Party, and hoped that the Court of Vienna would not only withdraw forthwith her Troops from the Palatinate, but likewise give Orders to indemnify the Inhabitants of the Country for the Loss and Damage they had suffered by those Troops staying so long among them; and that as soon as this was done, he would acknowledge the Grand Duke as Emperor, and send a Minister to Vienna to compliment him on his Election.

From Bern in Swisserland we hear, that on the 29th of last Month, two Senators and two Members of the Grand Council were deputed to acquaint Mr. Burnaby, the British Minister there, that, conformable to his Request, Orders had been sent to their Officers in the French Service in Flanders, strictly forbidding them, on Pain of incurring the utmost Displeasure of the Republick, to suffer so much as a single Soldier to be embarked at Dunkirk, or elsewhere, under any Pretence whatsoever.

And from Sweden we have an Account, that the Letter of Licence given by his Swedish Majesty to the several Officers that are gone from Sweden to serve in the French Armies, was as follows:

‘The Petition of ——— having been represented unto the King, whereby it is required, that Leave be given him to enter into some foreign Service, in order to enable him the better to serve the King and Kingdom, his Majesty has been most graciously pleased to permit him to enter into the Service of France for two Years. But he shall not be permitted to serve in any particular Corps, nor act in the Regiment wherein he has been admitted, provided that the same be sent into Scotland for the Pretender’s Service, or otherwise; and he shall be obliged to represent to those under whom he serves, this our gracious Ordonnance.’

Done at Stockholm, &c.

Sign’d FREDERIC.

These Officers are said to be 180, and were to be at Gottenburg on the 28th ult. in order to embark there for France.

Count Woronzow, the Russian Nobleman, who has lately made a Visit to several Courts in Europe, as supposed upon some secret Negotiation, is now at Rome, and about the Beginning of this Year he had an Audience of the Pope, at which his Holiness expressed a Desire of bringing about an Accommodation between the Greek Church and the Roman See; to which the Count answered, That for his own Part he had never taken much Trouble to consider such Matters, but that he believed the Empress would follow the Model of her Father, Peter the Great, who had fixed the Greek Religion upon a solid Basis, giving at the same Time a Toleration to the Roman Catholic Religion in Russia.

ENTER.

ENTERTAINMENT and POETRY.

1. THE Fair Moralift. By Mrs. M'char-
ry. Edit. 2. Printed for Baldwin
and Jefferies, price 2s. 6d.

2. The Female Spectator. Book 21. Prin-
ted for T. Gardner, price 1s.

3. A new poetical Translation of the
Satires, &c. of Horace. By Phil. Francis.
Vol. 3, 4. Printed for A. Millar, price
10s. half bound.

4. The Royal Hunters. Printed for J.
Jones, price 4d.

5. A pastoral Epistle on the present Re-
bellion. By Fr. Squire. Printed for J.
Whiston, price 6d.

6. The Siege of Carlisle. Sold by M.
Cooper, price 6d.

7. Britannia's Alarm. By T. Gibbons.
Sold by M. Cooper, price 6d.

8. Christianity the Light of the moral
World. By Tho. Hobson, M. A. Printed
for Mess. Manby, Cox, and Dodsley, 2s. 6d.

9. Poems on several Occasions. By the
Rev. Tho. Martin, B. A. Sold by J. Roberts,
price 1s. 6d.

HISTORICAL and MISCELLANEOUS.

10. A New General Collection of Voy-
ages and Travels. Adorned with an en-
tire new Set of Maps, Charts and Plates.
Published with his Majesty's Royal Pri-
vilege and Licence. N^o 108, 109, 110, and
111. Printed for T. Astley. To be con-
tinued.

11. The Itinerary of Mr. John Leland,
the Antiquary. Sold by J. Whiston, price
2s. 2s. the small, and 3s. 3s. the large Pa-
per. Likewise,

12. Rossi Warwicensis Historia Regum
Angliæ, price 5s. the small, and 7s. 6d. the
large Paper.

13. New Microscopical Discoveries. By
T. Needham. Printed for F. Needham, price
3s. 6d.

14. Sir Isaac Newton's two Treatises of
the Quadrature of Curves, and Analysis by
Equation, &c. explain'd. By J. Stewart,
A. M. Printed for J. Nourse and J. Whis-
ton, price 12s. in Sheets.

15. A Letter to Martin Folkes, Esq; Prin-
ted for T. Osborne, price 4s.

16. Florilegium Poeticum ex Ovidio, &c.
ab omni verborum obscenitate repurgatum.
Printed for C. Hitch, price 2s. 6d.

17. Captain Temple West's Defence a-
gainst Vice-Admiral Lestock's Charge. Sold
by J. Robinson, price 1s. 6d.

18. The second Charge of Sir C. W. Phi-
lips, Knt. Printed for W. Meadows, price
6d.

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